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Department of the Interior.
General Land Office.

Please circulate by mail. Feb. 5th 1867

# Mineral Instructions.

Ch. S. Surveyor General. Colorado Ter.

Santa Fe

Nebr.

CIRCULAR

OF THE

COMMISSIONER OF THE GENERAL LAND OFFICE

IN RELATION TO

# MINING CLAIMS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1867

Index to instructions from Commr General Land Office to Surveyor General New Mexico.

Relating to land qualifications 1

General instructions — 4 15 19 23. 33 35. 38 48 55 60 76 84. 113 115 122 143 161 193 211 213 234 269 274 283 284 290 297. 299 302 304 309 314 346 349 353

General Land Office
August 5th 1854

1 Sir

The President of the United States has appointed you by and with the advice and consent of the Senate Surveyor General of Public Lands for the Territory of New Mexico, for the term of four years from the first day of August 1854, and I herewith transmit you a commission as such, bearing date the 1st August 1854, with a blank form of bond to be executed by you, with two or more good and sufficient Securities, in the penalty of thirty thousand dollars.

The sufficiency of Sureties must be certified by the United States District Judge or Attorny

The bond is to be dated, and the names of the principal and Sureties in the body of the bond, and also the names of the witnesses, when signed, are to be written out in full The place of residence of each Surety must be designated in the body of the instrument. A seperate seal, affixed with a wafer, must be fixed opposite to the Signature of the principal and of each of the Sureties; and each of such Signatures is to be attested by two witnesses, and the residence of each witness must be designated opposite to his Signature. The affidavits of your Sureties as to their responsibility will accompany the bond

Care should be taken that no erasures or mutilations of any kind be made, and, if made, all such will be stated and certified before signing)

The oath required by law, to support the Constitution of the United States, and well and faithfully to execute the trust committed to you, must be taken by you and endorsed on the bond. If that oath be taken before a Justice of the Peace, a certificate of Magistracy, under seal, should accompany it The oath and bond are to bear the same date.

When the bond is executed in strict conformity to the prescribed formalities, (which you will be careful to see is the fact,) you will transmit it to this Office by mail, under a sealed envelope. Please acknowledge the receipt of your commission without delay, and transmit your bond to this Office as soon as practicable.

Very Respectfully
Your obedient Servant
John Wilson
Commissioner

Wm Pelham Esqr
Surv. Gl of New Mexico
Present.

2

General Land Office
August 14th 1854

2 Sir,

Your official bond dated 5th Inst. has been approved. Your salary will commence with the date of your official oath which is the same as the date of your bond

Very Respectfully
Your Obt. Servt
John Wilson
Commissioner

William Pelham Esq
Surveyor General New Mexico
Present

Treasury Department,
August 18th 1854.

3 Sir,

I have to acknowledge the receipt of your letter of this date, and in reply to inform you, that you are hereby authorized to purchase at New Orleans for the use of the Office of the Collector of the Customs for the District of Paso del Norte, an iron safe at a cost not to exceed the sum of two hundred and fifty dollars.

You will please certify the account of the person from whom you may purchase the safe, as the Collector of the Customs at New Orleans will be directed to pay said account upon such certificate.

The Collector of the Customs for the District of Paso del Norte, will also be instructed to refund to you the expense you may incur in taking said safe out to him.

Very Respectfully
Your Obt Servt
James Guthrie
Secretary of the Treasury

Wm Pelham Esq
Surveyor General of New Mexico
Washington City

General Land Office
August 21st 1854

4. Thos Pelham Esq
Surveyor General New Mexico
at Austin, Texas.

Sir,

In answer to your letter of the 18th inst. Requesting that a remittance of $1100 may be made to you by Draft at Austin, Texas, for the purpose of paying for the Iron Safe authorized to be purchased by my letter of the 17th inst, adding that the funds placed in your hands being for specific objects and deemed by you not greater than will be required for purposes contemplated at the time of drawing the same, I have to State that the article, for the purchase of which you request the above named remittance, is one of the items included in the appropriation of 4th inst, Viz: "For Office rent, fuel and incidental expenses in New Mexico." $3000.— You have drawn the whole amt thus appropriated and this Office being of opinion that this sum is sufficient to cover the contemplated purchase, refrains from calling upon the Department for other means wherewith to defray the expenditures connected with the purchase & transportation of the Safe.

Very Respectfully
Your Obt Servt
John Wilson
Commissioner

Department of the Interior
August 17th 1854

5. Sir,

In reply to yours of the 12th inst. on the subject of allowing the Surveyor General of New Mexico to employ a Translator, and suggesting that the necessary expense thus incurred might be charged to the Surveying appropriation for that Territory. I have to State that I doubt the propriety of authorizing the employment of a translator at the present time. After the Surveyor General shall have reached New Mexico he may be able to secure the services of a clerk who will answer every purpose.

I would at least await a further report from him after experience shall have enabled him to state precisely what is requisite to be done in the matter consistent with a due regard to economy in the expenditure of the public funds.

Very Respectfully
Your Obt. Servt
R. McClelland
Secretary

To Commissioner
of the General Land Office

General Land Office
August 21st 1854

6 Sir,

The 8th Section of the Act approved 22d July last, for the establishment of the Office of Surveyor General in New Mexico declares as follows:—

"Section 8— And be it further enacted, That it shall be the duty of the Surveyor General under such instructions as may be given by the Secretary of the Interior, to ascertain the origin, nature, character, and extent of all claims to lands under the laws, usages, and customs of Spain and Mexico; and for this purpose, may issue notices, Summons witnesses, administer oaths, and do, and perform all other necessary acts in the premises. He shall make a full report on all such claims as originated before the cession of the Territory to the United States by the treaty of Guadalupe Hidalgo, of eighteen hundred and forty eight, denoting the various grades of title, with his decision as to the validity or invalidity of each of the same under the laws, usages, and customs of the County before its cession to the United States; and shall also make a report in regard to all pueblos existing in the Territory, showing the extent and locality of each, stating the number of inhabitants in the said pueblos, respectively, and the nature of their titles to the land. Such report to be made according to the form which may be prescribed by the Secretary of the Interior; which report shall be laid before Congress for such action thereon as may be deemed just and proper, with a view to confirm bona fide grants, and give full effect to the treaty of eighteen hundred and forty eight between the United States and Mexico; and, until the final action of Congress on such claims, all lands covered thereby, shall be reserved from sale or other disposal by the government, and shall not be subject to the donations granted by the previous provisions of this Act."

The duty which this enactment devolves upon the Surveyor General is highly important, and responsible.— He has it in charge to prepare a faithful report of all the land titles in New Mexico which had their origin before the United States succeeded to the Sovereignty of the County,— and the law contemplates such a Report as will enable Congress to make a just and proper discrimination between such as are bona fide, and should be confirmed, and such as are fraudulent, or otherwise destitute of merit and ought to be rejected. The treaty of 1848 between the United States, and Mexico— United States Statutes at Large Volume 9, page 922, expressly stipulates in the 8th and 9th Articles for the Security and protection of private property.— The terms there employed in this respect are the same, in substance as those used in the Treaty of 1803, by which the

French Republic ceded the ancient province of Louisiana to the United States, and consequently in the examination of foreign titles in New Mexico you will have the aid of the enlightened decisions, and the principles therein developed, of the Supreme Court of the United States upon the titles that were based upon the Treaty of Cession, and the laws of Congress upon the subject.

The security to private property for which the Treaty of Guadalupe Hidalgo stipulates is in accordance with the principles of public law as universally acknowledged by Civilized Nations.—

"The people change their allegiance; their relation to their ancient "sovereign is dissolved; but their relations to each other, and their "rights of property remain undisturbed" U.S. vs Percheman, 7 Peters Reports.

In the case of the United States vs Arredondo and others, 6th Peters Reports, the Supreme Court declare that Congress "have adopted as the basis of all their Acts, the principle that the law of the province in which the land is situated is the law which gives efficacy to the grant, and by which it is to be tested whether it was property at the time the treaties took effect."

Upon the same basis Congress has proceeded in the present Act of Legislation, which requires The Surveyor General, under instructions from the Secretary of the Interior, to ascertain the origin, nature, character, and extent of all claims to land "under the laws, usages, and customs of Spain and Mexico," and arms the Surveyor General with power for the purpose by authorizing him to "issue notices, summon witnesses, administer oaths, and do and perform all other necessary acts in the premises."

The private land titles in New Mexico are derived from the authorities of old Spain, as well as of Mexico.

Among the "necessary acts" contemplated by the law and required of you, is that you shall

1st Acquaint yourself with the land system of Spain as applied to her ultra marine possessions, the general features of which are found, modified of course by local requirements and usages, in the former provinces and dependencies of that Monarchy on this Continent.

For this purpose you must examine the laws of Spain, the Royal Ordinances, Decrees, and Regulations as collected in White's Recopilacion 2 Volumes by

By the Acts of Congress approved 26th May 1824— 23d May 1828— and 17th June 1844, United States Statutes at Large Vol 4, page 52— Chap 173— page 284, Chap 70, and Vol 5, page 676— Chap 95, the United States District Courts were opened for the examination, and adjudication of foreign titles— Numerous cases on appeal under these laws, and other cases on writs of error,

in which actions on ejectment in the Courts below had been instituted, were brought before the Supreme Court of the United States, where the rights of property under inceptive and imperfect titles which originated under the Spanish System have been thoroughly examined & discussed with eminent ability.

For these decisions I refer you to Peter's and Howard's Report of the Decisions of the Supreme Court of the U. S.— It is important you should carefully examine them in connexion with the Spanish law, and the legislation of Congress on the subject, in order that you may understand, and be able to apply the principles of the Spanish System as understood and expounded by the Authorities of our government.

(2) Upon your arrival at Santa Fe, you will make application to the Governor of the Territory for such of the Archives as relate to Grants of land by the former authorities of the Country.

You will see that they are kept in a place of security from fire, or other accidents, and that access is allowed only to land owners who may find it necessary to refer to their title record, and such references must be made under your eye, or that of a sworn employé of the Government.—

You will proceed at once to arrange and classify the papers in the order of date, & have them properly and substantially bound— You will then have Schedules Marked 1 of them made out in Duplicate, and will prepare abstract No 2— also in duplicate, of all the grants found in the records showing the names of grantees, date, area, locality, by whom conceded, and under what authority.

You will prepare in duplicate form the Archives or other authoratative sources, a Document No 3 exhibiting the names of all the Officers of the territory who held the power of distributing lands from the earliest settlement of the Territory until the change of government, indicating the several periods of their incumbency— the nature and extent of their powers in conceding lands— whether, and to what extent, & under what conditions and limitations, authority existed in the Governors or Political Chiefs to distribute (repartir) the public domain— whether in any class of cases they had the power to make an absolute grant, & if so for what Maximum in area—, or whether subject to the affirmance of the departmental or Supreme government, whether the Spanish surveying system was in operation, and since what period in the County, and under what organization, also with Verified Copies in the original & translations of the Laws & decrees of the Mexican Republic & Regulations which may have been adopted by the general government of

that Republic for the disposal of the public land in New Mexico. Herewith you will receive a Table of Land Measures adopted by the Mexican government, translated from the "ordenanzas de Tierras y aguas" by Marianas Galvan- edition of 1844- as printed in Ex. Doc N°. 17 1st Session 31st Congress H. Repts.- containing much valuable information on the subject of California, and New Mexico, and of which Doc I would invite your special & careful examination.

In a Report of the 14th November 1851 from the Surveyor General of California, it is stated that all the grants &c of lots or lands in California made either by the Spanish government, or that of Mexico refer to the "Vara" of Mexico as the measure of length, that by common consent in California that measure is considered as exactly equivalent to thirty three American inches- that Office then enclosed to us "Copy of a document he had obtained as being an extract of a treaty made by the Mexican government from which it would seem that another length is given to the "Vara", and by J. H. Alexander's (of Baltimore) Dictionary of Weights & Measures, the Mexican Vara is stated to be equal to .92741 of the American Yard.

This Office however has sanctioned the recognition in California of the Mexican Vara as being equivalent to thirty three American Inches.

You will carefully compare the data furnished in the Table herewith, and in the foregoing with the Spanish Measurements in use in New Mexico, and will report whether they are identical, or if Varied in any respect by law or usage, you will make a report of all the particulars.

You should also add to "Document N°3" the forms used under the former government to obtain grants, beginning with the initiatory proceedings, viz: the Petition and indicating the several successive acts, until the title was completed.

A copy of the "Schedule"- "Abstract"- and "Document" required of you in the foregoing, duly authenticated by you should constitute a part of the permanent files of the Surveyor General's Office, and duplicates of them should be sent as soon as practicable to the Department of the Interior.

The knowledge and experience you will acquire in arranging the Archives, collecting Materials, and making out the documents called for by these instructions will enable you to intelligently report upon the merits of receiving, examining the testimony which may be presented to you by Land Claimants, and prepare your Report thereon for the action of Congress.

In the first ~~instance~~ instance you will provide yourself with a Journal, consisting of substantially bound Volume, or Volumes which is to constitute a complete record of your official proceedings in regard to land titles, and with a suitable Docket for the

entry therein of Claims in the order of their presentation, and so arranged, as to indicate at a glance a brief Statement of each case, its No. Name of original, and present Claimant— Area, locality— from what authority derived— Nature of title whether complete or incomplete, and your decision thereon.

Your first Session should be held at Santa Fe, and your subsequent Sessions at such places & periods as public Convenience may suggest of which you will give timely notice to the Department.

You will commence your Session by giving proper public notice of the same in a Newspaper of the largest Circulation in the English, and Spanish languages,— will make known your readiness to receive Notices and testimony in support of the land Claims of individuals derived before the change of government.=

You will require claimants in every case, and give public notice to that effect, to file a written Notice setting forth the name of "Present Claimant," name of "Original Claimant," Nature of claim whether inchoate or perfect— its date— from what authority the original title was derived— with a reference to the evidence of the power and authority under which the granting Officer may have acted— quantity claimed,— locality, Notice and extent of conflicting claims if any, with a reference to the documentary evidence and testimony relied upon to establish the claim, and to show a transfer of right from the "Original grantee" to "present Claimant".

You will also require of every claimant an authenticated plat of Survey, if a Survey has been executed, or, other evidence, showing the precise locality, and extent of the tract claimed— This is indispensable in order to avoid any doubt hereafter in reserving from sale as contemplated by law the particular tract or parcel of land for which a claim may be duly filed, or in consummating the title to the same hereafter, in the event of a final confirmation. The effect of this will be not only to save claimants from embarrassments & difficulties inseparable from the presentation and adjudication of claims with indefinite limits, but will promote the welfare of the County generally, by furnishing the Surveyor General with evidence of what is claimed as private property under Treaty and the Act of 22d July 1854, thus enabling him to ascertain what is undisputed public land & to proceed with the public Surveys accordingly, without awaiting the final action of Congress upon the subject.

You will take care to guard the public against fraudulent, or ante dated claims, and will bring the title papers to the test of the genuine Signatures, which you should collect of the granting Officers, as well as to the test of the official registers or abstracts which may exist of the titles issued by the granting Officers.

In all cases of course the original title papers are to be produced or loss accounted for, and where copies are presented, they must be authenticated, and your report should also state the precise character of the papers acted upon by you, whether originals or otherwise— where the claim may be presented by a party as "present claimant" in right of another, you must be satisfied that the deraignment of title is complete, otherwise, the entry & your decision should be in favor of the "Legal Representatives" of the original Grantee.—

Your Journal should be prefaced by a record of the law, under which you are required to act, & of your commission, & oath of office, and should contain a full record of the Notice & evidence in support of each claim, and of your decision setting forth as succinctly and concisely as possible all the leading facts, particulars and the principles applicable to the case, and upon which such decision may be founded. All the original papers should of course be carefully numbered, filed and preserved,— and upon each should be endorsed the Volume, page of the record in which they are entered, and such reference should be made on the Journal, and Docket, as will properly connect them with each other.

Your Docket should be a condensed exhibit of every case and of your decision— The claims both as to grade, and dignity may be classified by Numerals, or Alphabetically, accompanied by explanatory Notes— in such a Manner that it will show every case confirmed, and every one rejected by you.

In the case of any Town lot, farm lot, or pasture lots, held under a grant from any Corporation or Town to which lands may be granted for the establishment of a town by the Spanish or Mexican Government, or the lawful authorities thereof, or in the case of any City, town, or Village lot, which City, Town, or Village existed at the time possession was taken of New Mexico by the Authorities of the U. States, the claim to the same may be presented by the Corporate Authorities of the said town, or where the land on which the said City, Town, or Village was originally granted to an individual, the claim may be presented by or in the name of such individual, and the fact being proved to you of the existence of such City, Town, or Village at the period when the U.S. took possession, may be considered by you as *prima facie* evidence of a grant to such Corporation, or to the individuals under whom the lot holders claim,— and where any City, town, or Village shall be in existence at the passage of the Act of 22d July 1854, the claim for the land embraced within the limits of the same, may be made and proved up before you by the Corporate Authority of the said City, town, or Village— Such is the principle sanctioned by the Act of 3d March 1851, for the adjudication of Spanish and Mexican claims in California, and I think

its application & adoption proper in regard to claims in New Mexico.
In the month of March 1849 there was published in the Atlantic States, an extract of a letter dated December 12. 1848 at Santa Fe, (New Mexico) purporting to be from a young Officer of the Army, in which it was stated that "the Prefect at El Passo del Norte has for the last few months been very active in disposing (for his own benefit) of all the lands in that vicinity that are valuable antedating the titles to said purchasers" — that "these land titles" would be made a source of profitable litigation &c. It will be your duty to subject all papers under suspicion of fraud to the severest scrutiny, and test in order to settle the question of their genuineness.

You will also collect information from authentic sources. in reference to the laws of the Country respecting Minerals, and ascertain what conditions were attached to grants embracing mines, whether or not the laws and policy of the former government conferred absolute title in granting lands of this class in New Mexico.

It is proper also, and you are instructed in the case of every claim that may be filed to ascertain from the parties, and require testimony as to whether the tracts claimed are mineral or agricultural, and you will be careful to make the necessary discrimination in the Record of your proceedings, and in your Docket.

Your Report should be divided into two parts —
Part 1st Should embrace individual and Municipal claims, and should be prepared in the manner contemplated by law & in accordance with the requirements in the foregoing instructions.

The law further requires you also to "make a report in regard to all pueblos existing in the territory, showing the extent and locality of each, stating the number of inhabitants in the said pueblos respectively, and the nature of their title to the land" —

Part 2d of your Report should be devoted to this branch of your duty.

It will be your business to collect data from the Record and other authentic Sources relative to these Pueblos, so that you will enable Congress to understand the Matter fully, and legislate in such a manner as will do justice to all concerned.

In a Report dated July 29th 1849 in Camp near Santa Fe from the Indian Agent, James S. Calhoun, to the Commissioner of Indian Affairs he says: "the Pueblo Indians, it is believed, are entitled to "the early and especial consideration of the Government of the "United States, They are the only tribes in subject amity with the "government, and are an industrious, agricultural, and pastoral "people, living principally in Villages, ranging North and West of 100 "South, on both sides of the Rio Grande, more than 250 Miles that "by a Mexican Statute these people" as he had been informed by

Judges Houghton of Santa Fe were constituted Citizens of the republic of Mexico, granting to all of mature age, who could read and write, the privilege of voting, "but "this Statute has no practical operation" that "since the occupancy of the Territory by the government of the United States, the Territorial Legislature of 1847 passed the following act, which at the date of the Indian Agents report was in force.

"Be it enacted by the General Assembly of the Territory of New Mexico—Section 1— That the inhabitants within the Territory of New Mexico known by the name of Pueblo Indians, and living in towns or villages, built on lands granted to such Indians by the laws of Spain or Mexico, and conceding to such inhabitants certain land and privileges, to be used for the common benefit, are severally hereby created and constituted bodies politic and corporate, and shall be known in law by the name of the "Pueblo" &c—(naming it) and by that name they and their successors shall have perpetual succession— sue and be sued".

In a Subsequent report viz) of the 4th October 1849, the same Officer reported from Santa Fe, that "the Pueblos or Civilized towns of Indians of the Territory of New Mexico are the following:

| | | |
|---|---|---|
| In the County of Taos— Taos, Picoris— | 283 | inhabitants |
| In the County of Rio Arriba, San Juan, Santa Clara | 504 | " |
| In the County of Santa Fe,— San Ildefonso Namba, Pojoaque, Tesuque | 590 | " |
| In the County of Santa Ana— Cochite, Santa Domingo, San Felipe, Santa Ana— Zea, Jemez | 1.918 | " |
| In the County of Bernalillo, Sandea, Gleta — | 883 | " |
| In the County of Valencia,— Laguna Acoma— Zuria | 1800 | " |
| Opposite El Paso— Socoro—, Isletas — | 600 | " |

Recapitulation— Pueblos of New Mexico

| | | |
|---|---|---|
| County of Taos | 283 | over 5 years of age |
| Rio Arriba | 504 | do |
| Santa Fe | 590 | do |
| Santa Ana | 1918 | do |
| Bernalillo | 833 | do |
| Valencia | 1800 | do |
| District of Fonteo opposite El Paso del Norte | 600 | do |
| | 6.524 | |

The above enumeration it is stated by the Officer mentioned "was taken from Censes ordered by the Legislature of New Mexico, Convined December 1847 which included only those of five years of age and upwards"— and further that "these Pueblos" are located from ten

to near a hundred miles apart, commencing North at Taos and running South to near El Pass some four hundred miles, or more, and running East and West two hundred miles"— This Statement having no reference to Pueblos West of Cyenia"—

In another despatch dated the 15th October 1849 at Santa Fé the same Agent reports that "these pueblos are built with direct reference to defence— and their houses are from one to six Stories high" &c— That "the general character of their houses is Superior to those of Santa Fé" "they "have rich Valleys to cultivate" &c and they "are a Valuable and available people, and as firmly fixed in their homes as any one can be in the United States"— That "their Lands are held by Spanish and Mexican grants— to what extent is unknown"— That Santa Ana, as Major Wright man had informed the Agent, "decreed in 1843 that one born in Mexico was a Mexican Citizen, and as such is a Voter, and therefore all the pueblo Indians are Voters" but "that the exercise of this privilege was not known prior to what is termed an election the last one in this Territory" &c —

It is obligatory on the government of the United States to deal with the private land titles, and the "Pueblos" precisely as Mexico would have done had the Sovereignty not changed— We are bound to recognize all titles as she would have done, to go that far, and no further— This is the principle which you will bear in mind in acting upon these important Concerns.

You will append to your Report on the Pueblos, the best Map of the Country that can be procured, on a large Scale, and will indicate thereon the localities and extent of the Several pueblos as illustrative of that Report,— which you are desired to prepare, and transmit to the Department at as early a period as the nature of the duty will allow.

Very Respectfully
Your Obt. Servant
John Wilson
Commissioner

William Pelham Esq
U.S. Surveyor General
of New Mexico

Extract of a treaty made with the Mexican Government which accompanied a Report dated Nov. 14. 1851 from the U. S Surveyor General of California respecting the ratio of land measures between those employed under the Mexican Government and those in use in the U. States.

From the Mexican Ordinance for Land and Sea.

Article 20th of the

Agreement entered into between the Minister Plenipotentiary of the Mexican Republic, and her Agents in London the 15th of Sept. 1837, with the Holders of Mexican Bonds.

20th In compliance of what is ordered by the Seventh Article of the preceding Law, and in order to carry into effect the Stipulation in the preceding agreement; in regard to the holders of Bonds deferred, it is declared that the Acre of which mention is made in said agreement answers to 4840 english yards squared, equivalent to 5762.403 Mexican Varas, square In as much that the Sitio de Ganado Mayor contains 4338.464 Acres, the Mexican Vara having been found by exact measure equal to 837 French Milimetres and consequently to *$\frac{616469}{1000000}$ of the English Imperial Yard

* See Note at the bottom of next page

Reducing the ratio of 4840 sq yards & 5762.403 sq yds

the Vara will be 32 99312

do The 4338.464 Acres 32 99311

do the fraction $\frac{916469}{1000000}$ 32 992884

The fraction mentioned in Note $\frac{915755}{1000000}$ 32 96718

Mr Eddy

The Article on the preceding page is extracted from a Volume published by Authority in the City of Mexico 1846 and entitled Ordenanzas de Tierras y Aguas.

G. L. Lyman

* Translation of a note at the foot of the page

Without doubt in this fraction, there is an error of the prefs, since considering the english yard 914 Milimetres and the Mexican Vara 837 do The Vara will be $\frac{915755}{1000000}$ of a yard the first figure 6 being the inverted 9

Department of the Interior
August 25th 1854

The foregoing instructions are hereby approved.
R. McClelland
Secretary.

# Appendix No. 9

## Table of Land Measures adopted in the Republic of Mexico.

| Names of the Measures | Figures of the Measures | Length of the figures expressed in Varas | Breadth in Varas | Areas in Square Varas | Areas in Caballerias |
|---|---|---|---|---|---|
| Sitio de ganado Mayor | Square . . . | 5.000 | 5000 | 25.000.000 | 44.023 |
| Criadero de ganado Mayor | Square . . . | 2.500 | 2500 | 6.250.000 | 10 255 . |
| Sitio de ganado Menor | Square . . . | 3333 1/3 | 3333 1/3 | 11.111 111/9 | 18.232 |
| Criadero de ganado Menor | Square . . . | 1.666 2/3 | 1.666 2/3 | 2.777.777 7/9 | 4 558 |
| Caballeria de tierra | Rightangled parallelogram | 1'1024 | 552 | 609.408 | 1 |
| Media Caballeria | Square . . | 552 | 552 | 304.704 | 1/2 |
| Cuarto Caballeria ó Suerta de tierra | Rightangled parallelogram | 552 | 276 | 152.352 | 1/4 |
| Fenega de, Sembradura de maiz | Rightangled parallelogram | 376 | 184 | 56.784 | 1/12 |
| Solar para Casa | Square . . | 50 | 50 | 2.500 | 0.004 |
| Fundo legal para Pueblos | Square . . | 1.200 | 1.200 | 1440.000 | 2.036 |

The Mexican Vara is the unit of all the Measures of length, the pattern and size of which is taken from the Castilian Vara of the Mark of Burgos, and is the legal Vara used in the Mexican Republic. Fifty Mexican Varas make a measure which is called Cordel, which instrument is used in measuring lands.

The legal league contains 100 Cordels or 5.000 Varas which is found by multiplying by 100 the 50 Varas contained in a Cordel. The league is divided into two halves and four quarters. This being the only division made of it. Half a league contains 2500 Varas, and a quarter of a league 1,250 Varas.

Anciently, the Mexican league was divided into three miles, the mile into a thousand of Solomon, and one of these paces into five thirds of a Mexican Vara; Consequently, the league had 3000 paces of Solomon. This division is recognized in legal affairs, but has been a very long time in disuse. The Same as the pace of Solomon, which in those days was called Vara, and was used for measuring lands. The mark was equivalent to two Varas and seven eighths. That is eight marks containing twenty three Varas, and was used for measuring lands.

General Land Office
August 26th. 1854.

7 William Pelham Esqr
Surveyor General of public lands
Territory of New Mexico.

Sir,

Under authority of the first section of the Act of Congress, approved 22nd ult. entitled "An Act to establish the "Offices of Surveyor General of New Mexico, Kansas and Nebraska, to grant "donations to actual settlers therein, and for other purposes", you have been appointed Surveyor General of public lands in the Territory of New Mexico. Your power, authority and duties are the same as those provided by law for the Surveyor General of Oregon, with proper allowances for Clerk hire, Office rent and fuel, not exceeding what now is or hereafter may be allowed by law to said Surveyor General of Oregon, and your Office is to be located from time to time at such places as may be directed by the President of the United States

Your first Surveying duty will be to determine the location of a Principal Base, and a principal Meridian line to govern the public Surveys in the Territory. The great body of the settlements it is presumed will be found in the Valley of the Rio Grande Del Norte.

It is desirable that the Principal Meridian should run near the Suburbs of Santa Fe, Starting from and intersecting on the South, the principal Base line extending East and West possibly as far South as the junction of the Rio Puerco and the Rio Grande. It may be, however, that the Mountainous features of the Country present obstacles which forbid the Meridian line being extended through the longitude of Santa Fe, and if so, you are authorized to run it to the East or West thereof, as far as in your judgment may be found most expedient, and to such locality as shall present superior facilities for the purpose, and you may find, that the most available position for the Meridian and Base to intersect each other will be the point of junction of the Rio Puerco with the Rio Grande Del Norte.

Your earliest operation will be to survey the Base line starting from the point thereon where it will be intersected by the Meridian; and running West therefrom you will establish boundary corners at intervals of every half mile, mile, and six miles to govern the township surveys to the West of the Principal Meridian; and from the same intersection point, running East, corner boundaries at similar intervals will be established to govern the Township Surveys on the East of such principal Meridian.

At right Angles to the principal Meridian, on the North of the Base Line, what are called Standard Parallels or Correction Lines will subsequently be extended East and West, at every

fourth township or twenty fourth mile; and from the same meridian to the South of the Base line, Similar Standards or correction lines are to be extended at every fifth township, or every thirtieth mile; and on such Standard or correction lines, at the time when Surveyed, the Corner boundaries for townships, Sections, and quarter Sections, are to be established, at every Six Miles, mile, and half mile, respectively, as prescribed for the public Surveys in Oregon Territory.

The township & Subdivisional Surveys which will Start from the Standard or correction line below will close by Meridianal lines on the Standard above, in every instance, So that double Corners may be expected to exist on Such Standards, but which are inadmissible under any other Circumstances.

The distances to which the principal Meridian, Base and Standards Parallel Should be extended in the first operations, will be only so far as Shall be deemed indispensably necessary in order to Regulate the Surveying, at the earliest practicable periods, of those portions of the Territory now occupied and Settled upon, and also those to which emigration may be tending. The instrument to be relied upon in establishing all your principal lines will be Burt's Improved Solar Compass.

You are herewith provided with 2, two pole Chains of a true Standard Measure, the extreme links of which are terminated by rivets in the inner Circles of their handles, these chains must al ways be retained in your Office to Regulate the chains of your Deputy Surveyors, each of whom Should take to the field a similar Standard to regulate from time to time, the Chains in practical use.

As you are aware, from long experience, that the Value of the public Surveys depends on the permanency of the boundary Monuments, and that great evils have ensued from the inefficient Construction of Mounds of earth where such have to be used for that purpose, it is therefore expected that you will exact of your Deputy Surveyors the most rigid accountability for the faithful Construction of Mounds for boundaries, according to the Method prescribed for Oregon, and which has been required to be adopted in California and Minnesota, and will be also made applicable to the Surveys in New Mexico.

None other than township lines are to be run where the lands is deemed unfit for cultivation, and no deputy shall charge for any line except Such as may be actually run and marked, nor for any line not actually necessary to be run.

You will enter into a contract with a Deputy Surveyor of well established Skill and Reputation, for the Survey of the Base and Meridian lines, and who must be conversant with the uses and practice of Burt's Improved Solar Compass, and also of the Theodolite, — the former to be used especially in reference to taking latitudes at all Such points as you may prescribe, and ascertaining the Variation

of the needle on the respective lines; and the latter for taking long course sights and bearings of the Mountain Ranges from the appropriate Station points where it shall be deemed necessary to take angles in order to establish distances of inaccessible objects from such points.

As the Base and Meridian lines will form the ground work of all your (surveying) operations, special care, skill and practical experience are requisite to that work, & to insure uniformity in the processes it is expedient that the Surveying of those lines should be confided to one and the same Deputy Surveyor with instructions to him to employ as his assistants one and the same corps of operatives throughout, if practicable, & in view of the cost of instruments, expense of outfit &c, such proceeding would seem to be the most economical.

After having instituted these preliminary proceedings and reported the fact to the Department, it will be expedient that you make a reconnoissance through the Country with a view to acquire correct information as to the localities & extent of the principal settlements in order to enable you to determine the particular portions of Country which ought, in your opinion, to be the first surveyed into townships and subdivided, and where certain localities indicate the expediency of departing to a greater or less extent from the System of square sectioning, you will report thereon and give your opinion as to the mode of surveying by front and depths, or radiating lots which will be better adapted to the topographical features of the Country and the wants and requirements of its people, present & prospective.

Your actual and necessary personal expenses whilst engaged in making the reconnoissance alluded to will be allowed at the Department, on the production of proper Vouchers.

At the intersection point between the Base line and Meridian a conspicuous Monument is to be constructed to signalize the spot and which is to be described in the field notes.

The Deputy Surveyor in his Line Field Book (whether Base or Meridian) is to note as he proceeds in his measurements, the distance on his line of the crossings of every stream, or ravine &c, the width thereof, also the depth of stream or ravine, and the points of crossing of every other natural object, whether hill, Mountain, Ridge, Lake, pond, ledge of rocks, Stone quarry, mineral locality, and noting the kind of mineral; also noting the point when entering prairie, wood land, or swamp or marsh, and when leaving the same— The kind of timber, and geological features of the Country— these all to be carefully ascertained and appropriately set forth in his Line Field Book, which is required to be free from blots, blurs & interlineations of any kind, which would throw the least doubt as to the true meaning of such book, which is to constitute the permanent Record of the work and to be filed and preserved at your Office; a certified copy of the same to be returned to this Office accompanied by appropriate plats of the lines. It is proposed that such plats be on a scale of Two inches to the mile, and to be protracted on successive sheets;

so as to admit of the same being bound up in a book form instead of being in one continuous roll. The sheets, if of the size of a township plat, (twelve inches square within a large margin) may admit of three lengths of twelve inches each being inserted on a single sheet, leaving a copious margin.

You will communicate with the Department as soon as convenient after having instituted the Surveys of your Base and Meridian lines, and when enabled understandingly to do so, you will report your views as to the extension of Standard lines (accompanied by a programme of such so far as to admit of dividing into townships & subdividing into Sections, those particular portions of Country which seem to command the earliest attention, and in order to acquire as much reliable information, as possible, on this subject (and at the earliest practicable period) you are herewith furnished with a draft of a "Notice to the inhabitants of New Mexico claiming donations to land under act of Congress of July 22nd 1854," which you will please cause from your office at Santa Fe, and cause to be distributed as extensively as possible over the County. You will cause the same to be printed both in English & Spanish.

It may be that there are <u>isolated Settlements</u> so situated and surrounded by Mountain barriers as not to be approachable by the Standard parallels in order to connect them regularly with the Main body of Surveys, without incurring great loss of time, expense, & labor. Should such circumstances of imperative necessity be found to exist, it may possibly be deemed best to Survey such isolated portions of Country in bodies of townships to be surveyed and subdivided in the usual manner, according to the true Meridian, but as <u>independent</u> townships having no reference whatever to the Base and Meridian lines. Townships so situated would of necessity have to be designated each by a <u>Specific Name</u>, as for instance, "Independence Township"- "Constitution Township,"- "Columbia Township," & so forth.

These are suggestions seasonably presented for your future consideration and to be reported on at your leisure.

The prices allowed for Surveying in Oregon Territory, are as follows.

For principal Meridian, principal Base, and Standard parallel lines, not exceeding twenty dollars per Mile; and for Surveying Township and Subdivisional lines, not exceeding twelve dollars per mile. These are Maximum rates subject to be reduced by you when found practicable to do so consistently with the faithful execution of the work.

Herewith is furnished a form of Contract and Bond to be entered into by Deputy Surveyors- with a supply of blanks for the same.

You will submit your report as seasonably as possible on the various subjects of your duties, to be laid before Congress at the next Session, accompanied by estimate of the appropriations deemed necessary for the Surveying Service in New Mexico during the fiscal year ending 30th June 1856.

Your are hereby apprized that it is the opinion of this office, that parties holding lands under claims from the former governments of Spain or New Mexico are not entitled also to receive a donation of land under the Act of July 22nd. 1854. It is declared by the 4th. Section of the Act as follows, "That "none of the provisions of the Act shall extend to mineral or school lands, Salines, "Military or other reservations, or lands settled on and occupied, ~~in whole in part~~ "for purposes of trade and commerce and not for agriculture,* shall be "subject to the provisions of the Act of twenty third May eighteen hundred and "forty four, in relation to town sites on the public lands, whether so settled "and occupied before or after the Survey of said lands, except that said "lands shall be donated instead of being sold.

Very Respectfully
Your Obt Servt
John Wilson
Comm.

* and all legal subdivisions settled on and occupied, in whole or in part for purposes of trade and commerce and not for agriculture

General Land Office
August 28th 1854

Sir,

The Act of 22d July 1854 directs that your "power authority and "duties shall be the same as those provided by law for the Surveyor "General of Oregon." Hence you are required to execute the 2d. 3d & 4th Sections of that law making donations to actual settlers, and for town sites, – the 5th & 6th Sections reserving lands for school and university purposes. – the 7th granting pre-Emption rights, – as well as the 1st Section providing for the Survey of the lands in New Mexico, and the 8th conferring on you the authority to report on the private Claims in that Territory.

Instructions have already been sent you under the 1st & 8th Sections, – the following will govern you in the discharge of your duties under the other sections above mentioned.

The second section grants a quarter section of land, or one hundred and sixty acres to every white male Citizen of the United States, and to every white Male over twenty one years of age who has declared his intention of becoming a Citizen, who was residing in said Territory prior to the 1st of January 1853, and who was residing there at the passage of this Act. A like grant is made to the same classes of persons who have removed to or shall remove and settle in said Territory between the 1st day of January 1853, and the 1st day of January 1858.

These grants are made on the condition of actual settlement and cultivation on the land claimed as a donation for not less than four years, and the Act requires that each of these donations, shall include the actual settlement and improvement of the donee and shall

be selected by legal subdivisions within three months after the Survey of the Land where the Settlement was made before the Survey, and where the Settlement was made after the Survey, then within three months after the Settlement is made, - under penalty of entire forfeiture of the claim for failing to designate the boundaries of the claims as thus required.

The difference in these grants is, that the period of four years continued Settlement and cultivation, required by the law, is to be counted in the former class from the commencement of the Settlement and cultivation and hence may have been completed at or before the passage of the law, and if so such persons are entitled to certificates as soon as the land is surveyed, on proof as required by the law. In the latter class, the Settlement and cultivation must have been commenced after the 1st of January 1853, and must continue from such commencement, for the full term of four years as required by this act, before the parties can obtain certificates. The only exception to this rule, is, where the Settler has died, or may die before the completion of the four years occupancy and cultivation required by the act, when his right will descend to his heirs at law, who will be entitled to a certificate and patent on proof of continued occupancy and cultivation by such Settler to the time of his death. This provision will be regarded as applicable to both classes of donees.

In each case you will require the evidence of at least two respectable Citizens that the claimant is over twenty one years of age, is an american Citizen, giving their reasons for knowing this fact or where one, not a Citizen claims, a certificate under Seal from the Clerk of the proper Court, that such person did at such a time file his declaration of intention to become a citizen. The testimony must also show the date when the Settlement commenced, the character of the dwellings, and the extent and nature of the improvements, and cultivation, and that the occupancy and cultivation were continuous for four years, or until the death of the Settler.

On such evidence you will issue certificates according to the accompanying forms, and transmit the same with the testimony filed in support of the claims. These certificates will be headed respectively - "Donation, Settlement and cultivation for four years," or "Donation, Settlement and cultivation 'till death of Settler," and in either case where the claimant is not a citizen you will add that remark "not a citizen" at the end of either of the above headings, so that patents may not issue for such cases, until the claimants become Citizens as provided by the 3d Section of the Act. Whenever a Settler desires to enter with Cash the land Settled upon and improved by him before the expiration of the four years continuous Settlement and occupation required by this Act, he is authorized to do so by the 7th Section of this law, by paying therefor at the rate of one dollar and twenty five cents per Acre. Before being permitted to make such entry, however, he must

make similar proof to that above required of the date and character of his settlement and cultivation and that it has been continuous up to the time he applies to purchase the same. In these cases the form of the Certificate will be varied to suit the circumstances of the case, and the certificates will have the additional heading "paid for in cash". Duplicate receipts should be furnished in these cases, one to be given to the Settler, the other to accompany your return to this office. These cases should be embraced in your returns of Donation Cases, and you will charge yourself with the amount of purchase money in your account as Receiver. The 4th Section expressly excludes from the provisions of this act certain lands of which you will take proper notice, Further, holders of Valid claims under the Mexican or Spanish grants cannot be entitled to a donation under this law, neither can they, or holders of donations be entitled to pre emptions- the intention of this law, being mainly to encourage the settlement of the Country. Therefore actual settlement and cultivation, being the bases of both donations and pre emptions, they cannot exist under the same person in two different places at one time, nor can such settlement and cultivation be made by the holder of a Mexican or Spanish grant, within the intent of this Act, unless he relinquish such grant.

By the 4th Section Moreover, all legal subdivisions settled on in whole or in part, for purposes of trade and Commerce, and not for agriculture, are made subject to the provisions of the act of 23d May 1844, in relation to town sites on the public lands, whether so settled and occupied before or after the survey of such lands, except that said lands are donated instead of being sold. This of course only applies to such settlements on public lands, and not to towns built upon grants from the former governments. In the latter cases full instructions are given in connection with private claims.

In the cases provided for by this act where application is made by the properly Constituted Officers, to secure lands for towns, cities or Villages, under the Act of 23d May 1844, as amended by this Act you will require satisfactory reliable ~~proof~~ evidence to be submitted establishing the fact, that the subdivisions applied for, are occupied in whole or in part for purposes of trade and commerce, and not for agriculture, and on such evidence you will issue certificates to such officers, stating the facts, and that they are entitled to patents for the lands described, on presentation of those certificates to the Commissioner of the General Land Office. These certificates with the proof should be transmitted with your monthly returns of donations, and be headed "Donations under Acts of 23d May 1844, and 22d July 1854 Town Site", or Village &c as the case may be.

Under the 5th Section. Sections numbered 16. and 36. in each Township, will be reserved for Schools in all cases. The Act clearly contemplates the tracts thus designated in Regular Rectangular Townships, and hence those lands must be thus numbered,

however surveyed, and the reservations will apply to none other.

Under the 6th Section, the Legislature of New Mexico is authorized to direct the selection of a quantity of land equal to two Townships, for the establishment of a University, and when selected by persons authorized to do so, by the Legislature, you will respect such selections, enter them on the plats as reserved for University purposes, and transmit a list of them to this office. These selections however must be made in compact bodies of not less than a half Section in each body, any minor subdivision may be taken in lieu of, and full satisfaction of a half Section, and any quantity above a half Section (not exceeding the grant, may be taken in one body.

By the 7th Section of this act, any of the lands not taken under its other provisions, are made subject to the operation of the pre emption Act of 4th September 1841, whether settled upon, before or after the Survey. The enclosed instructions under the latter law will be sufficient for all cases where the settlement was made after the Survey, and will apply equally well, where it was made before, with this difference, that in the latter case, the settler is required to file his declaration within three months after the Survey is made and returned, that is, within three months after the plats are approved by you.

Of the returns required under the 8th Section, you have been fully instructed, under the head of private claims. You will make a separate return of donations, including those paid for in accordance with the accompanying form beginning with No 1 and going on continuously to the highest number.

You will also make a separate return under the pre emption Act of 1841, as modified by this Act. The Certificates will be headed "Pre emption Act of 1841, & 1854". Certificates and receipts will be transmitted by you with returns as in other cases of cash sales.

In your quarterly account as Receiver you will charge yourself with all Monies received for pre emptions and donations. These returns will be distinct and separate from those required of you as Surveyor General.

As explanatory of the views of this Office on questions arising in the examination of Donation Claims and Town Sites, I send you copy of a letter written to the Surveyor General of Oregon on these subjects, the law being very similar in that Territory to that for New Mexico.

I am Very Respectfully
Your Obt. Servt
John Wilson
Commissioner

Wm Pelham Esq
Surveyor General
of New Mexico

Dept of the Interior
Sept 2d 1854

The foregoing instructions are hereby approved.
R. McClelland
Secretary.

Circular

9 To the Registers and Receivers of the United States Land Offices.

General Land Office
August 30, 1854

Gentlemen,

Annexed is a copy of the act of Congress, entitled "An act to graduate and reduce the price of the public lands to actual settlers and cultivators," approved August 4, 1854.

This act takes effect from its passage. It applies to all lands except those "reserved to the United States, in acts granting lands to States for railroad or other internal improvements, or to mineral lands, held at over one dollar and twenty five cents per acre;" and except also Lands Reserved from sale by act of Congress, order of the President, or which may have been appropriated for any purpose whatever. Lands which are required by treaty stipulations to be sold for the benefit of Indians, are also excluded from the provisions of this law.

Lands subject to the operation of this act are also subject to pre-emption, at the graduated prices, under the provisions of the act of September 4, 1841. Where Settlers claim any of these lands by pre-emption, under that law, they must file their declaratory Statements, prove up their rights, and make payment at the graduated prices within the time prescribed by the said act, except towards the close of each period of graduation, when they must be paid for within thirty days preceding the next graduation or reduction that shall take place, or forfeit their claim, even if the year allowed by the Act of 1841 has not expired; and the lands settled on by them will be subject to private entry. If not purchased at private entry, however, before the next graduation or reduction has taken place, such lands will again be subject to preemption as aforesaid at such reduced prices. This act provides, however, that nothing in it "shall be so construed as to interfere with any right which has or may accrue by virtue of any act granting pre-emption to actual Settlers upon public lands." Therefore, any right of preference which may have attached, or may hereafter attach, under the Act of May 29, 1854, entitled "An Act for the relief of Settlers on Lands Reserved for railroad purposes", may be paid for at the graduated price, within the time prescribed by the said act of 1854, except towards the close of each period of graduation, when they must be paid for within thirty days preceding the next graduation or reduction, or the claim be forfeited.

All such claims, however, under the Law of 1841, as well as that of 1854, preferred towards the close of each period of graduation, which shall not have been consummated or entered under the act of August 4, 1854, may be paid for and entered subsequently during the period allowed by said Acts of 1841 and 1854, but at the usual minimum of

one dollar and twenty five cents per acre.

Any person may enter lands subject to the operations of this act at the graduated price on making affidavit, before the Register or Receiver of the proper Land Office, that he or she enters the same for his or her own use, and for the purpose of actual settlement and cultivation, or for the use of an adjoining farm or plantation owned or occupied by him or herself, and together with said entry he or she has not acquired from the United States, under the provisions of this act, more than three hundred and twenty acres, according to the established Surveys.

All entries, by pre-emption or otherwise, under the provisions of this act, must be in a compact body by Legal Subdivision of tracts adjacent and contiguous, the same as under the pre-emption act of 1841, except where the land is claimed for the use of an adjoining farm or plantation, when it must form with such farm or plantation a compact body as aforesaid. All lands not returned under the provision of this act as pre-emptions for actual settlement and cultivation, or as a constituent part of a farm or plantation, will be subject to the laws regulating the sale or location of lands at the ordinary minimum price of one dollar and twenty five cents per acre.

Where parties apply to locate warrants or scrip on any of the lands graduated under the provisions of this act, they can locate no more than is called for by the face of the warrants or scrip; that is, a forty acre warrant or scrip can only take a forty acre tract or its equivalent; an eighty acre warrant can take an eighty acre, or two contiguous and adjacent forty acre tracts forming a compact body of eighty acres; and so on, without reference to the prices.

To prevent confusion and simplify the business as much as possible, it has been determined not to section fractions of years—the fiscal year governing. Hence, all lands, offered say from July 1, 1840, to July 1, 1845, will be regarded as coming within the first class under this law. Those offered between July 1, 1839, and July 1, 1840, will not fall within the second class till July 1, 1855: and so on in the other classes.

Great care and attention must be given to this matter to prevent errors; and all entries claimed under this act since its passage, and in accordance with its provisions, must be adjusted as above directed

The testimony in all cases under this act will be transmitted to this Office with the certificates of entry. ...

Very Respectfully
Your obedient Servant
John Wilson
Commissioner

Register and Receiver
at

# An Act

## To graduate and reduce the price of the public lands to actual settlers and cultivators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the public lands of the United States which shall have been on market for ten years or upwards, prior to the time of application to enter the same, under the provisions of this act, and still remaining unsold, shall be subject to sale at the price of one dollar per acre; and all of the lands of the United States that shall have been on market for fifteen years or upwards, as aforesaid, and still remaining unsold, shall be subject to sale at seventy five cents per acre; and all of the lands of the United States that shall have been in market for twenty years or upwards, as aforesaid, and still remaining unsold, shall be subject to sale at fifty cents per acre, and all of the lands of the United States that shall have been in market for twenty five years and upwards, as aforesaid, and still remaining unsold, shall be subject to sale at twenty five cents per acre; and all lands of the United States that shall have been on market for thirty years or more, shall be subject to sale at twelve and a half cents per acre: Provided, This section shall not be so construed as to extend to lands reserved to the United States, in acts granting lands to States for railroad or other internal improvements, or to mineral lands held at over one dollar and twenty five cents per acre.

Sec. 2. And be it further enacted, That upon every reduction in price under the provisions of this act, the occupant and settler upon the lands shall have the right of preemption at such graduated price, upon the same terms, conditions, restrictions, and limitations, upon which the public lands of the United States are now subject to the right of preemption until within thirty days preceding the next graduation or reduction that shall take place; and if not so purchased, shall again be subject to the right of preemption for eleven months, as before, and so on from time to time, as reductions take place: Provided, That nothing in this act shall be so construed as to interfere with any right which has or may accrue by virtue of any act granting preemption to actual settlers upon public lands.

Sec. 3. And be it further enacted, That any person applying to enter any of the aforesaid lands shall be required to make affidavit, before the register or receiver of the proper land office, that he or she enters the same for his or her own use, and for the purpose of actual settlement and cultivation, or for the use of an adjoining farm or plantation owned or occupied by him or herself, and, together with said entry, he or she has not acquired from the United States, under the provisions of this act, more than three hundred and twenty acres, according to the established surveys: and if any person or persons taking such oath or affidavit shall swear falsely in the premises, he or she shall be subject to all the pains and penalties of perjury.

Approved August 4, 1854.

Department of the Interior
September 8th 1854

10 Sir,

In reply to your's of the 21st ult. enclosing a copy of a letter from the Surveyor General of New Mexico, requesting that he may be authorized to call upon the Commander of the nearest Military post for a suitable escort for the protection of the Surveying parties- I have to State that there is no provision of law which would authorize the employment of military or other forces for such purpose, unless forcible opposition has been offered or will likely be offered, to such Surveying party or parties, and when that contingency arises the 2nd Section of the Act of May 29 1830, points out the manner in which proper protection shall be afforded to the Surveyors General or their Deputies.

Very Respectfully
Your Obt Servt
R. McClelland,
Secretary

To
The Commissioner
of the General Land Office.

General Land Office
September 9th 1854

William Pelham Esq
Surveyor General of
New Mexico at
Austin Texas

11 Sir,

Enclosed herewith you will find instructions prepared in this Office for your government, under the provisions of the Act of Congress approved 22d July last, entitled "An Act to establish the Offices of Surveyor General of New Mexico, Kansas & Nebraska, to grant donations to actual Settlers therein & for other purposes" The instructions are dated August 26th 28th and are accompanied by various forms and a Circular in pamphlet form to Registers & Receivers of the U.S. Land Offices on the subject of the Pre emption Act of September 4. 1841.

Also forms of Quarterly Tax to be rendered by you, together with a form of a Surveying Fee for your adoption.

By the same Mail there is forwarded to you at Austin, Texas, the following documents; Viz.

2 pamphlets of Statutes at Large for 1851 & 52 & 1852 & 53
2. Copies of Reports of the Comm. G.L. Office " 1852 & 1853.
2 Rolls of Blank Contracts & Bonds, containing 110 Sheets
1 Roll of Diagrams illustration of public Surveys 15 "
2 Copies of a Manual for field operations.

Burit's Solar Compass is expected here every day and so soon as received it will be sent to you together with a Box containing the following books & documents, Viz.

3 Vols of Letter Record.
6 " " Blank Books (not backed)
2 " " Laws, Instructions & Opinions
9 " " Statutes at Large
1 " " Synoptical Index to the nine Volumes,
2 two pole chains (Standard).

You are requested to acknowledge the receipt hereof by return mail.

Very Respectfully
Your Obt. Servt
John Wilson
Commissioner

General Land Office
September 9th 1854.

12 Sir,

There is an error in dates in the Circular of August 30th 1854, corrected in ink on the original; please be governed by this Correction.

Very Respectfully
Your Obt. Servt
John Wilson
Commissioner

Surveyor General, of
New Mexico,
Austin,
Texas.

General Land Office
September 12th 1854

13 William Pelham Esqr
Surveyor General of
New Mexico
Austin, Texas

Sir,

Enclosed herewith you will find the reply of the Hon Secretary of the Interior to my Letter of the 25th ult. submitting yours of the 17th of the same month on the subject of obtaining authority to call upon the Commander of the nearest Military Post in New Mexico for an escort to protect the Surveying Party. Also a copy of the Secretary's answer to my Letter of the 12th ult. on the subject of allowing you to engage a translator to be compensated out of the Surveying fund, both of the foregoing propositions having been judged by the Secretary

as ineffectual for the present, I have to advise you of the fact.

Very respectfully
Your Obt. Servt
Chas. L. Frailey
Acting Commissioner

General Land Office
September 16th 1854

14 William Pelham Esqr
Surveyor General of New Mexico
Austin, Texas

Sir,

On the 9th inst you were advised that so soon as Burt's Solar Compass should be received at this Office, you would be furnished with the same, together with a Box containing books & Papers therein specified.

I have now to inform you that the box addressed to you as above, has been deposited this day with Messrs Adams & Co's Express for the purpose of being sent to you; it contains the following documents, Viz:

3 Volumes of blank books, (backed "Letter Record")
1 " " " (not backed)
2 " " Laws, Instructions & opinions.
9 " " Statutes at Large.
1 " " Synoptical Index to the nine Vols of Statutes at Lge.
2 Ten pole Standard Chains
30 Additional diagrams of illustrations of Mounds, & Corners, Exterior and Subdivisional lines of Surveys. &
a lot of Printed Notices No. 521.

Very respectfully
Your Obt. Servt
S. S. Wilson
Acting Commissioner

P.S. In regard to the Solar Compass, you will be written to in a day or two.

General Land Office,
September 25th 1854

15 William Pelham Esqr
Surveyor General of New Mexico
Austin, Texas

Sir,

On the 16th inst you were advised that you would hear from this Office in regard to the Solar Compass intended for you. Messrs Burt & Bailey of Detroit, makers of the Burt's improved Solar Compass notified this Office on the 12th inst that they will forward the instrument in two weeks, when received it will be sent to you at Austin, Texas.

Respectfully
Your Obt. Servt
John Wilson
Commissioner

General Land Office
November 25th 1854

16 William Pelham Esqr
Surveyor General of New Mexico
Santa Fe, N. M.

Sir,

I have to acknowledge the receipt of your two letters of the 25th ults. from San Antonio, Texas, the first announcing your arrival at that place from Austin and your departure for the Camp of Major Emory on your way to Santa Fe, N. Mexico, and the second enclosing your Estimates for the expenses of your Office for the fiscal year ending 30th June 1855. (should have been 1856)

I have to inform you that to my telegraphic dispatch of the 12th ults. which I sent to you at Austin, T. in reference to forwarding of the Solar Compass to you, and enquiring where the same was to be transmitted, I received from you per J. M. Durham on the 31st ults. the following reply, Viz. "Your telegraph dispatch of the 12th inst is to hand relating to Solar Compass. You will please forward it to James Vances & Bro, San Antonio, Texas, to the care of Rosebeck & French Commission Merchants San Antonio, Texas. Ship via Port Lavaca, Texas, to the care of E. Nash & Co Commission Merchants at Port Lavaca."

In acknowledging the foregoing communication indicating the place where you desired to have the instrument forwarded to you, I remarked that your letter of the 25th of Oct. last having advised this Office of your departure from San Antonio for Santa Fe, induced this Office to postpone transmission of the Solar Compass & trusted to the latter place for fear lest your absence there might be prejudiced to the safe transportation of the instrument from San Antonio to Santa Fe—

Upon your arrival at the place of your destination you are requested to advise this Office of the best medium through which this Office could transmit to you the instrument so that the same may be forwarded to you

Very respectfully
Your Obt. Servt
John Wilson
Commissioner

General Land Office
February 19th 1855

17 William Pelham Esqr
Surveyor General of New Mexico
Santa Fe' N. M.

Sir,

I acknowledge the receipt of your communication of the 7th Dec. last from El Paso del Norte, announcing your arrival to that place and your reconnoissance to be made in a few days in the Valley of the Rio Grande, for the purpose of selecting a suitable point for the intersection of the Meridian with the Base line.

I have also to inform you that, agreeably to your request in another communication from you of the same date, having reference to your estimate which you enclosed in your letter of the 25th Oct. last, I have made the necessary correction, and in view of your report "that the sum allowed for clerk hire it would be impossible to procure a clerical force sufficient to perform the service, which will be required in the Office, in adjusting the land titles, and the current business of the office." I have submitted an estimate to the Chm. Committee on Public lands, House Reps. with a request that in lieu of the already estimated amounts for the fiscal year ending 30 June 1856, for your District, viz:
$3000. for your own salary it may be increased to $4500.
{4000 " Clerks' " } 4000
{2000 " Salary of a translator } " " " " " " 4.000
inclusive of the salary of a translator of Spanish language.

Very respectfully
Your Obt Servt
John Wilson
Commissioner

General Land Office
February 19th 1855

18 William Pelham Esq
Surveyor General of New Mexico
Santa Fé.

Sir,

Enclosed herewith is a form of a special Bond which you are required to execute with two or more good and sufficient Sureties in the penalty of Fifty Thousand Dollars, under the requirements of the 4th Section of the Act of Congress, approved February 14th 1853, entitled "An act to amend an act entitled, an act to create the office of Surveyor General of the public lands in Oregon, and to provide for the survey and to make donations to the settlers of the said public lands approved September 27th 1850".

The sufficiency of the Sureties must be certified by the District Attorney or Judge of the U States' Court for the State or Territory, as the case may be, and no action on your part can take place as Receiver of public Moneys until you shall have received notice from this office of the approval of your said bond.

The affidavit of your Sureties as to their sufficiency must accompany the bond.

Very respectfully
Your Obt. Servt
John Wilson
Commissioner.

19 Wm. Pelham Esq
Surveyor General
Santa Fé, New Mexico

Sir,

General Land Office
March 9th 1855

Your letter of the 29th Jany. last in relation to the forwarding to you of the Solar Compass, has been received. I have this day addressed Messrs Hockaday & Hall at Independence, Mo. informing them that the instrument will be transmitted to their care, & requested them to forward it to you by the first Mail Wagon leaving Independence for Santa Fé.

The Solar Compass and tripod are addressed to you as Surveyor General of New Mexico at Santa Fé, & when the same is received by you, you will please acknowledge its receipt.

Very respectfully &c
John Wilson
Commissioner

P.S. A Standard yard prepared by the Superintendent of Weights & Measures, for your Surveying District, has also been sent to you in the same way as the Solar Compass & tripod belonging to it.

J. Wilson

General Land Office
February 19th. 1855

20

William Pelham Esqr
Surveyor General
Santa Fe, New Mexico

Sir,

Your letter of the 31st. Dec. last transmitting your own salary account together with Vouchers for Clerk hire for the fractional half year ending 31st. Dec. 1854, has been received.

Upon examination of your own a/c as aforesaid it is found that you charge the United States for the period above mentioned at the rate of $3.500 per annum instead of $3.000. as limited by the act of 22d. July 1854. And in order to conform to the legal requirement the amt. charged by you has been curtailed from $1420.41/100 (141 12/100 as should have been) to $1214.67/100 the latter being for 57 days in 3d qr. & for the whole of the 4th qr 1854 at the rate of $3000 per annum. As regards the Vouchers for Clerk hire, assuming the time, as certified by you to have been employed by them in performing their Clerical duties in your Office, (which from the letter of the 4th. Dec. last informing this Office of your arrival at El Paso del Norte this Office has reason to infer that at that period there was no office open for the transaction of the clerical duties of your District) the Amts of the Vouchers are Calculated wrong. The Treasury Rule is to calculate by the Quarter, and in the event of the qr being fractional, then, the proportion is: as the number of the days in the quarter is to the 1/4 yearly Salary, so is the number of the days in the fractional quarter to the amt of the Voucher. Admitting the times of services of your clerks as correct for argument sake, the true amounts should have been as follows; viz:

| | | | | | |
|---|---|---|---|---|---|
| No. 1 | C.B. Magruder | from 17th. Oct. to 31 Dec. 1854 | $371.74 | instead of | $372.45 |
| No. 2 | D.J. Miller | " 18 " " " " " | 305.70 | " " | 306.42 |
| No. 3 | A.J. Wilbar | " 15 " Aug. " " " " | 566.58 | " " | 564.48 |
| No. 4 | Leonidas Smith | " 9 " Sept. " " " " | 464.67 | " " | 466.52 |

In the absence of the authority vested into you as Surveyor General of New Mexico, to dispose of the funds placed into your hands for specific purposes, in the manner indicated by your returns, the sums thus paid by you are disallowed, subject however to your explanation, & unless it is satisfactorily accounted for by producing sufficient authority, of which this Office is not advised, for having acted as you did in the premises, the Amts charged by you cannot be allowed.

Your report upon the subject is expected at an early period, so that the requisition asked for in your letter of the 5th ult. for a remittance of the remainder of the sum appropriated for the payment of the Salaries of the Surv. Genl. & the Clks in his Office for the fiscal year

ending 30th June 1855 may be acted upon.

Very Respectfully
Your Obt. Servt.
John Wilson
Commissioner

Head Qrs Dept. of New Mexico
Santa Fe, May 14th 1855

21 The Hon.
William Pelham
Surveyor Genl. of New Mexico
Sir,

On a recent visit to the White Mountains I selected a Site for a Military Post at a point on the Bonito River, 18 or 20 Miles above its junction with the Ruidosa, and desire to have reserved for Military purposes Six Miles in every direction from the Post. This tract of land will supply sufficient timber firewood and grass for the Garrison intended to be kept there, and embraces very little land suitable for agricultural purposes.

There is in preparation at this time a Topographical Sketch of the Country roundabout "Fort Stanton" the name given to the Post, a copy of which will be handed to you as soon as Completed

Very Respectfully
Yr Obt. Servt
Jno Garland
Bt Brgr Genl.
Comdg

22 William Pelham Esqr
Surveyor General of New Mexico
Santa Fe, N. M.

General Land Office
March 27th 1855

Sir,

Herewith are transmitted to you twelve Copies of the revised edition of the Oregon Manual of Surveying Instructions prepared, according to law, by the principal Clerk of Surveys of this Office, for the Officers of the Surveyor General of the districts created in and since the year 1850,- containing detailed instructions in regard to the duties of deputy Surveyors, and sundry matters of instruction in relation to duties in the Surveyor-Generals' Offices. This work is to be placed in the hands of your deputy Surveyors and is designed to supersede the Manual with which you have been furnished. Additional Copies will be forwarded whenever you require them

after acknowledging the receipt of these

I am, Very respectfully
Your Obt Servt
John Wilson
Commissioner

and Twelve dollars in four packages of Thirty each
S.M.

General Land Office
March 28th 1855

28 William Pelham Esqr
Surveyor General of New Mexico
Santa Fe, N.M.

Sir

In consideration of the necessary Time required to transmit funds from Washington City to Santa Fe, New Mexico, I have this day requested the Secretary of the Interior that a Warrant might be issued in your favor for the following sums, viz:

For your own Salary up to the 30th June next, it being the balance of the appropriation of the 3d August 1854 "For Salary of Surveyor General of New Mexico & Clerks in his office, that is applicable for your services from 5th August 1854 at $3000 per annum limited by the first section of the Act approved 22d July 1854, entitled "An Act to establish the offices of Surveyor General of New Mexico, Kansas Nebraska &c" $1214.67

And for the Salary of your Clerk up to the close of the fiscal year ending 30th June 1855, it being the balance of the appropriations as limited by the aforesaid Act to $4000 for the fiscal year 1855 1750.00

Making a total of . . . $2964.67

The foregoing remittance together with that made to you on the 12th August last of $3750. out of the appropriation of 3d August 1854 for Salary of Surveyor General of New Mexico and Clerks in his office amounts to $6714.67 and is all that can be drawn against the appropriation of $7500 for Act of 3d August last, the remittances include $4000 for Clerk hire leaving $785.33 for your own Salary from the 5th day of August last to 30th June 1855 at the rate of $3000 per annum

Very respectfully
Your Obt. Servt
John Wilson
Commissioner.

Treasury of the United States
March 21st 1855

24 Sir,

Enclosed you will receive one Treasury draft payable to your order. Please date and sign the accompanying receipt, and return it to this office by the first mail; and cause the draft to be presented for payment without delay.

(Very Respectfully)
Your Obedient Servant
S. Casey
Treasurer of the United States

William Pelham,
Surv Genl

General Land Office
April 7th 1855

25 William Pelham Esqr.
Surveyor General of New Mexico
Santa Fe, N. M.

Sir,

The act of Congress "making" appropriations for the civil and diplomatic expenses of the Government for the year ending 30th June 1856, and for other purposes," approved 3d ultº makes provision for your office as follows, viz:

1. "For Compensation of the Surveyor General of New Mexico and the Clerk in his office, Seven thousand dollars" ($7.000.)
2. "For rent of Surveyor General's office in New Mexico, fuel, books, stationery, and other incidental expenses, three thousand dollars" ($3.000)
3. "For Compensation of a translator in the office of Surveyor General of New Mexico, two thousand dollars" ($2.000)
4. Out of the general item of $61.000 appropriated by the same act "For Compensation of the Clerks in the Offices of the Surveyors General, to be apportioned to them according to the exigencies of the public service, and to be employed in transcribing field notes of surveys for the purpose of preserving them at the Seat of Government," the sum of Thirty six hundred dollars, ($3600) has been set apart to meet accruing exigencies in your office. Where field notes are transcribed as records to be preserved at the Seat of Government, they are to be paid for per hundred words the rate at your office not to exceed twelve cents per hundred. The transcripts are to be most critically examined and compared with the originals, and to be officially certified by you to this office, in the form given in the revised Manual of Surveying instructions, some twelve copies of which were forwarded to you by mail with my letter dated 27th ult. and a like number of copies is herewith transmitted.

30 Blank Sh. Cloth 550 Indexes to Field Notes in 2 rolls
15 Cases for Field Notes in 3 Sets, 50 Blank Field Note Books in 5 Separate packages.

The 26th Section of the general appropriation act, herein referred to

has reduced the Salary of the Surveyor General of Washington Territory (which was the same as that of the Surveyor General of Oregon, $3500 per annum,) to the Standard of your office, in the language following: "Sec. 24. And be it further enacted, That there shall be paid to the Surveyor General of Washington Territory, and the officers employed under him, the same amount of compensation as is allowed to the Surveyor General of New Mexico and the officers employed under him." It thus would appear that the efforts made to advance your compensation in view of the increased allowance to others whose duties, labors, & responsibilities were manifestly inferior to your own, have resulted, thus far, only in reducing the allowance to said officers to your Standard, after the next fiscal year. In consequence of the tenderness of your position I avail myself of this early occasion to remind you that it is highly desireable to the Department to learn your official progress at as early a day as the nature of the service will allow - and it is particularly requested that your estimate of Surveying and office expenses for the fiscal year ending 30th June 1857, should reach here, if possible, by 20th Novemr next.

Your official report should be rendered in triplicate, one for each of the Houses of Congress, and a third set for this Office. It is desired that the report be as full and satisfactory, in all respects, as it will be found practicable to make it up to the date of its rendition; and it should be accompanied by such diagrams & sketches as may be necessary for purposes of illustration, showing the irregular style of your surveying operations, and intended operations, and indicating, as accurately as may be, the topographical features of the fields of your operations.

If, in order to do justice to the various subjects of your duties, you should find it unavoidably necessary to delay the completion and transmission of your first annual report to a late period of the ensuing Session of Congress, you are requested to accompany your official "Estimate", aforesaid, with such detailed outline of your iregular proceedings &c, as will admit, in advance, of some definite and satisfactory allusion to the commencement and progress of your operations, in the next annual report to Congress from the Secretary of the Interior, at the commencement of the ensuing Session.

In the printed Surveying instructions allusion is made to an engraved sheet for sale of "descriptive Notes" to be prepared by Surveyor General to accompany township plats which they are required to furnish to district Land Officers within their Surveying jurisdiction, and allusion is also made to the Marginal Notes to appear on the Copies, respectively, of the township plats furnished to this Office and to district Officers, and which marginal Notes are those of the Meanders of Streams on the Copy designed for this Office, and of Meander Corners on the Copy designed for the district Office; but under the present organization of your Surveying district you have nothing to do with such descriptive Notes (and local delivery of town-

this plats, I therefore no plats sheets are transmitted; your returns of township plats to this office will, however, show the meanders of streams, in the mode shown in the aforesaid township plat herewith, marked diagram B in the manual of surveying instructions; and in this aforesaid you will observe that, to avoid collision in numbering, private claims in a township will commence with No 37

Very respectfully,
Your obt Servt
John Wilson
Commissioner

General Land Office
May 3rd 1855

26 Wm Pelham Esqr
Surveyor General at
Santa Fe, N. M

Sir,

I have to draw your attention to that part of instructions from this Office of the 28th August last which has reference to your Commissions of 2 per Centum under the provision of the 4th Section of the Oregon Act of 14th Febry 1853, and to notify you that the said per centage is not to be deducted from the gross amount of moneys received from Settlers and the balance reported as due to the United States, but the whole amount received is to be accounted for by depositing it to the credit of the U.S. without any abatement in conformity with the provisions of the act of 3d March 1849, and when the certificate of deposite is received the amt of your commissions on the same will be paid you out of a specific appropriation for that purpose.

Very respectfully
Your Obt Servt
John Wilson
Commissioner

Ltr (D) 57 For letter from David S. Garland see No 379

27

William Pelham Esq
Surveyor General of New Mexico
Santa Fe, N. M.

General Land Office
May 4th 1855

Sir,

I have to acknowledge the receipt of your letter of the 1st ult, transmitting a duplicate of the Contract entered into with John F. Garretson & S. on the 9th March last, for the Survey of the Base and Principal Meridian lines in your District.

You have doubtless noticed on the blank forms of contracts, that a certain per centage is intended to be stipulated to be retained on the whole amount accruing on the Surveys contracted by Deputy Surveyors, for the purpose stated in the printed form, I deem it necessary, however, to add that, the object of that retention is to accumulate a fund out of several Contracts, under which Surveys of exterior and Subdivisional lines have been executed, sufficient to pay the compensation of an efficient & faithful Agent commissioned by you to examine those Surveys. This examination is to be general, of course, only to be made after the platting &c. in your office, usually required to test the accuracy of the work; if on all such test, the work appears correct, and the examining Agent also reports it so, the balance of the Money Retained, after paying the expenses of this Agent, will be paid over in just proportions among those from whom it was deducted, for instance; if there be four different contiguous contracts of an unequal sum, some requiring longer time to examine the work in the field than others, and all of which prove upon examination to have been correctly Surveyed, then the expenses incurred by the examiner (who will have to be required to keep a Separate account of time spent in the performance of his duties of each of the Deputies' Work) are to be deducted from the fund accumulated by the retentions of the per centage of the four contracts, in just proportion, and the balance of the fund whatever it may be left, will be refunded to the respective deputies by stating a Supplemental account therefor.

Very respectfully.
Your Obt. Servt
John Wilson
Commissioner.

Santa Fe N. Mx. June 29th 1855.

Sir. A letter from S. F. Eaton. Esq. and of 25th inst. came to hand this morning, with Statements, & Returns of Surveys executed by Deputies Hall Brown, Mr. Cartwright & Eaton, Esq. Mr. Eaton informs me that Brown, Cartwright & Eaton have completed their Surveys, & left, & that Mr. Eaton will start in a few days for the States, for the purpose of

28 William Pelham Esq
Surveyor General of New Mexico
Santa Fe, New Mexico

Treasury Department
Comptroller's Office, June 11th 1855

Sir,

Your accounts as Surveyor General of New Mexico on account of "your own compensation and that of your Clerks employed in your Office" for the 3d & 4 quarters 1854 have been adjusted at the Treasury, and a balance of $3.791.31 found to be due from you to the United States, instead of $619.67 the balance stated by you, making a difference of $3171.64 which arises as follows.

By charging you with the amount of Warrant No 9253 dated 30th March 1855 which could not have reached you at the time of the audition of this account $2964.67

To which add the following sums, being overpayments made by you to self and your Clerks as follows.

| | | | |
|---|---|---|---|
| Your Salary overcharged | your salary is $3000 not $3500. | $205.73 | |
| Amount overpaid C. B Magruder | | .71 | |
| " " S. Miller | | .72 | |
| " " C. Smith | | 185 | 209.07 |
| | | | $3.173.74 |
| Amount of underpayment to A.S. Wilbur | | | 2.10 |
| | | | $3.171.64 |

In your next account you will credit the United States with $209.07 and charge $2.10 and thus settle the aforesaid difference.

I am respectfully Yours
J.M. Ramsey
Acting Comptroller.

Treasury of the United States
June 12th 1855

29 Sir

Enclosed you will receive Seven Treasury Draft payable to your order. Please date and sign the accompanying receipt, and return it to this Office by the first mail; and cause the draft to be presented for payment without delay.

Very Respectfully
Your Obedient Servant
S. Casey,
Treasurer of the United States

William Pelham,
Surv. Genl

1240

General Land Office
24 May 1855

To Sir,

To enable this office to comply with the resolutions of Congress, approved April 27. 1816; 14th July. 1832, and the 1st Sec. of Act of 3rd March. 1851, requiring a list of the Officers, &c., connected with the public service, exhibiting the State or County in which each was born, and the State or Territory from which appointed, you are requested to advise me, without delay, of the place of your Nativity and residence when appointed, also that of each person in your employ on the 30 Sept. last, specifying the character of the duties discharged by them, and the amount of their annual compensation, to be inserted in the Biennial Register now preparing for publication

Very respectfully
Your Obedient Servant
Jno. A. Wilson
Acting Commissioner

Surveyor General.
Santa Fe,
New Mexico.

Treasury Department
Comptroller's Office
June 11th 1855.

H. William Pelham Esq
Surveyor General of New Mexico
Santa Fe. New Mexico
Sir,

Your accounts as Surveyor General of New Mexico on account of "Office Rent &c" for the 3 & 4 quarters 1854 and 1st quarter 1855 have been adjusted at the Treasury, and a balance of $531. 97 found to be due from you to the United States, as stated by you.

I am respectfully
Your
obt. (Ramsey)
acting Comptroller

32 William Pelham Esq^r
Surv. Gen^l of New Mexico
Santa Fe. N.M.

General Land Office
June 21^st 1855

Sir

I have to acknowledge the receipt of your letter of the 31^st March last transmitting the accounts and vouchers of disbursements made by you; to wit: on a/c of Salaries up to 31^st Dec^r last, and on a/c of Rent of Office, Incidental expenses &c. up to 31^st March 1855.

On the 7^th inst the above mentioned accounts were adjusted in this Office and reported to the First Comptroller of the Treasury for his decision thereon; they exhibited the following balances against you; viz:

The Salary a/c . . . . . $ 3.791.31
and the Incidental expenses a/c . . . . . 531.97
Making a total balance due from you up to the date of the Settlement of said accounts of . . . . . $ 4.323.28

I have also to acknowledge the receipt of the following letters viz yours of the 30^th March last enclosing letter of Jno W. Gamelson on the subject of payments & the remarks thereon; of the 31^st March last requesting that remittance may be made to you of the sums appropriated per Act of 3^d March 1855, and asking that an apportionment may be made to your Office of $2.000 out of the appropriation of $40.000. per Act of Sept^r 4. 1854 "For Clerks in the Offices of the Surveyors General &c." for the purpose of covering the expenses of Clerks in your Office over and above the sum appropriated by Congress for Clerks in your Office for the fiscal year ending 30^th June 1855; of April 20^th 1855 asking a remittance to compensate (Deputy) Surveyors and recommending a departure from the policy now practiced in regard to paying them directly from the Treasury, and the receipt of your letter of the 26^th April last renewing the application of 31^st March 1855 for the remittance of the sum appropriated for Incidental expenses of your Office for the year 1855 (1856) for reasons therein stated.

The Subject matter of the foregoing letters has been laid before the Secretary of the Interior with the request that funds may be advanced to you for the purpose of paying your deputies say 2/3 of the Amts of their accounts when the same shall have been made up ready for transmission to this Office accompanied by evidences of their Work for the purpose of final payment of the balances due them. On the 11^th inst a Warrant was issued in your favor for that purpose for the Sum of $15.000 and drafts in small amounts were sent you on the succeeding day, drawn on New York & New Orleans in conformity with your request of the 31 March last.

After the expiration of the Current fiscal year there will be made to you additional remittances asked for in your said letters to such an extent as the Rules of the Department will admit of.

In regard to the apportionment of $2000 out of the appropriation of $40,000 alluded to in your letter of the 31st March last, I have to say that when your salary &c for the 1st quarter 1855 shall have been received at this office, its propriety and expediency will be considered and if practicable the apportionment will be made to cover the deficiency mentioned in your letter.

Enclosed herewith you will find a form of a Certificate, which you will please employ in making your Depts to Deputy Surveyors while advancing moneys to them on &c of their work performed under Contract.

Respectfully &c
Jno. S. Wilson
Acting Commissioner

General Land Office
June 22nd 1855

33 William Pelham Esq
Surveyor General of New Mexico
Santa Fe, New Mexico

Sir,

I acknowledge the receipt of your letter of the 28th April in reply to mine of 19th Feby last calling for an explanation with regard to your own salary account and that of your Clerks whose Vouchers had been suspended in the adjustment of the accounts. In consideration of your explanation and the circumstances related in your letter with the view to justify the steps taken by you to subserve the public interest thereby I have caused the Salary account to be adjusted by passing to your credit the amounts of the Vouchers paid by you to the Clerks mentioned in my said letter to you. But in reference to your own Salary the Amts charged by you at the rate of $3500 per annum could not be allowed in view of the limitation prescribed by the Act of 22nd July last, the language of the Act appropriating $7500 for your own salary and for the Clerks in your Office admitting of no such construction as you infer from it and the act of Sept 27. 1850. Creating the Office of Surveyor General for Oregon. Therefore in adjusting your Salary &c your own compensation was reckoned at the rate of $3.000 per annum. I have to remark that the excess of the appropriation of 4 August last thus created cannot be applied either to your own or that of your Clerks' Salaries beyond the Sums advanced of the Appropriation and as communicated to you on the 28th March last

Very respectfully
Your Obt Servt
John Wilson
Commissioner

34 William Pelham Esq
Surveyor General of New Mexico
Santa Fe, New Mexico

Treasury Department
Comptrollers Office, July 17th 1855

Sir,

Your accounts as Surveyor General of New Mexico on account of your own compensation and that of the clerks employed in your office for the 1st quarter 1855 have been adjusted at the Treasury, and a balance of $1.091.31 found to be due from you to the United States, instead of $763.86 the balance stated by you, making a difference of $327.45 which arises as follows, viz

By your crediting yourself with your own salary for the fractional half year ending December 31 1854 $1420.46

also for quarter ending 31 March 1855 875.00 $2295.46

Instead of charging the United States with your salary from 5th August 1854 the date of your official bond at the rate of $3.000. per annum as limited by the Act of July 22d, 1854 for the above period — or 1964.67

making a difference of $330.79

From which deduct

Error in bringing forward balance in your account for 1 quarter 1855 as due to the United States 31 December 1854 — $624.19

Which should have been 620.85 3.34

making the above difference $327.45

I am respectfully
Yours
Elisha Whittlesey
Comptroller

35

Treasury of the United States
July 27th 1855

Sir,

Enclosed you will receive three Treasury Drafts payable to your order. Please date and sign the accompanying receipt, and return it to this office by the first mail, and cause the draft to be presented for payment without delay.

Very respectfully
S. Casey,
Treasurer of the United States.

Wm Pelham
Surv. Genl.
Santa Fe,
New Mexico

General Land Office
July 21st 1855

36 Jno Pelham Esq
Surveyor General of New Mexico
Santa Fe, N.M.

Sir,

In accordance with your request of 31st March last, you will receive $2.000, which has this day been apportioned to your Office, out of the appropriation of $40.000, per act of August 4th 1854. "For Clerks in the Offices of the Surveyors General, including the Offices in Oregon and California, to be apportioned to them according to the exigencies of the public service &c", in order to cover the expenses of Clerks in your Office up to the end of the fiscal year ending 30th June last. You will charge yourself with the $2.000 thus advanced to you and credit your Salary account with such sums as you will have paid to your clerks.

Besides the above amount I have requested of the Secretary of the Interior that the following sums may be remitted to you for the purpose of enabling you to liquidate the expenses of your Office for the quarter ending 30th September next. Viz:—

| | |
|---|---|
| 1st On account of your own Salary | $750. |
| " " regular Clerks | 1.000. |
| " " Extra " | 900. |
| Making a total on a/c of Salaries | $2650. |
| 2nd On a/c of Rent of Surv. Genl's Office, fuel, books, Stationery & other incidental expenses | 350. |
| 3rd On a/c of Compensation of a Translator in your Office | 500 |
| Total Amt. of requisition on a/c of qr. ending 30th Sept/55 | $3900. |

I have to advise you of the adjustment of your Salary a/c for the Qr. ending 31st March last, and to say that the Balance found due from you to the U.S. is $1091.31

I have also to inform you that agreeably to your request of 31st May last, addressed to John Wilson Esq and by him made official, that drafts in your favor may be drawn on St Louis, Mo. I have this day requested that the sums of the foregoing requisitions amounting in the aggregate to $5.900 may be remitted to you accordingly.

I am Very respectfully
Your Obt. Servt
Jno Wood
Acting Commissioner

Santa Fe, September 26th 1853

37 Sir,

The census of 1851 show that at that time the number of inhabitants of each of the following Pueblos was, viz San Juan 568, Jamez 365, Santana 399, Sillo 124, Pecos about 10.

The above Pueblos are all that have handed in their Titles to the above date- others have promised to hand in theirs and I hope that during the next month it will be in my power to furnish a Majority of the Pueblo Titles to Land

I have no doubt that their number have increased- but I have no means of ascertaining the amount- This is all the information I can furnish at this time.

I have the honor to be
Your Obedient St
A. G. Mayers
Indian Agent for the Pueblos
New Mexico

Hon William Pelham
Surveyor General
New Mexico

Santa Fe, New Mexico, October 4 1853.

38 Sir.—

Your letter of the 3rd instant making certain inquiries respecting the existence of Spanish or Mexican grants of land, or mines of gold, silver, Copper, Lead, &c., within the territory ceded to the Mescalero and Mimbres Apache Indians by His Excellency Gov. Merriwether in a treaty held with those Indians on the 9th day of June 1853, was received.

And in reply I would respectfully state that, near the centre of the territory ceded to the Mimbres Apaches, there is a Mexican grant of nine square leagues of land; and further, that it is probably one of the best established grants in the Territory of New Mexico. It is the well known Copper mine Grant. It contains rich Coppermines which were successfully worked as late as the year 1838 or 1839. The houses and forts of its former occupants are still standing— also many of their fruit trees— and has the appearance of once having been a flourishing town of from 300 to 400 inhabitants. It was abandoned on account of the hostility of the Indians, who attacked and killed many of the inhabitants, and the remainder were compelled to fly for safety

South and west of the Coppermines, and also within the limits of the contemplated Mimbres reserve, there are gold mines which were extensively worked, and also abandoned on account of Indian hostility.— There are also found within this reserve the ores of iron, silver and Lead.

In reply to your second inquiry, as to the propriety of the selections made by His Excellency for those Indians, I would state, that

in my judgment a better selection might have been made. Judging from the wise and humane course recommended by the Hon. G. W. Mennypenny, Commissioner of Indian Affairs, in his annual report for the year 1854, and instructions sent by him to this department, it has become the fixed policy of the Government to locate and civilize those Indians. To accomplish this desirable object – without which the inhabitants of this Territory can have no security for life or property – it should have been His Excellency's first care, in my humble opinion, to have removed them as far from the settlements or private grants of individuals as possible, to obviate the many evils that are constantly arising from their proximity and intercourse with the native population of this Country.

I would further state that a selection might have been made on the Gila river within the territory occupied by those Indians, that none of the above objections would apply to – free from Spanish grants, further removed from the settlements, and in every way better calculated to make a permanent location for those Indians.

The lands ceded to the Mesaleros are east of the Rio Grande, and for the interests of the Government and this Territory I deem it a most unfortunate selection. This reserve is within convenient distances from the settlements on the Rio Grande, and also convenient to the roads leading from El Paso to San Antonio and from El Paso to Santa Fé – and, if permanently located there, as there are always bad men among them, they would give much trouble to settlers and endanger the safety of the United State mails to and from the above places. They speak the same language as the Gila Apaches, are intermarried, and should have been moved west of the Rio Grande upon the waters of the Gila. It would have cost the Government a few thousand dollars more for a few years, but the results would have soon shown this course an advantage to the General Government and this Territory, and ultimately to the Indian.

Remove the Mesaleros west, and you give them a country equally as good as theirs, further removed from the settlements, and one in which they can be more easily controlled – and you throw open for settlement the finest and most desirable portion of New Mexico. If left where His Excellency the Governor has prescribed their limits they will retard the development of the rich mineral resources of the Organ mountains and the agricultural and grazing resources of the eastern slope of the White mountain and western tributaries of the Pecos.

I have the Honor to remain,

Very respectfully,

Your obedient Servant,

M. Steck,

Ind. Agent.

W. Pelham, Esq.,

U. S. Surveyor General for

Territory of New Mexico

Santa Fé, Octob. 10, 1855.

39 Sir.

I was visited this morning by the Pueblo Indians of Sandia. They inform me that their papers, belonging to them, have long since been deposited with the Secretary of New Mexico.

I would be able in a short time to deposit all the title deeds of the different pueblos in your office if my duty were not limited to my agency in Santa Fé. I shall do all that my prescribed limits will admit of—and as fast as they hand in their titles I will place them in your office.

The Governor and Superintendent has refused me permission to visit the Pueblos at their homes: Here the limited means of performing my duty—as I have to await the tardy process of the Indians I find that some of them even refuse to give in their deeds or titles to land, fearing that the object of the Government is to take their lands from them.

I regret that it is not in my power to do more than I have done. The above restriction of His Excellency prevents me from discharging a important part of my duty.

A. G. Mayers,
Agent for the Indians in New Mexico.

Hon. W. Pelham
Surv. General New Mexico.

Santa Fé, New Mexico, October 19, 1855

40 Sir.—

I regret that it has not been in my power to place in your hands all the title deeds of the Pueblos.

I applied to the Superintendent of Indian Affairs for permission to visit the Pueblos: but he said it was no use. I thought strange of his refusing me permission to do so as I understood that His Excellency informed you that if I did not arrive in time he would send his son around to collect the papers. Please state whether His Excellency did not promise this to you?

Please inform me whether the titles of the different Pueblos have been confirmed which I deposited in your Office; and oblige

Your Friend and obedient Servant,
A. G. Mayers,
Indians Agent for New Mexico.

Jas W Pelham,
Surveyor General of
New Mexico

General Landoffice,
September 7, 1855.

41 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, N. M.

Sir.—

On the 3rd ultimo there reached this Office your certified transcripts of the fieldnotes of the survey of ninetyix miles of the Principal Meridian of New Mexico lying north of the Principal Base, executed by John W. Garretson, Deputy Surveyor, under his contract of 9th march 1855, in the month of May last. Your certificate to such notes bears date 20th June last— but the notes were not accompanied by any letter or other document The succeeding mail, however, brought to this Office on the 1st instant the undermentioned documents from your Office, viz:

Mr. Garretson's Letter of 8th June last to you stating that he had completed and returned ninetyix miles of the Principal Meridian, and requesting to be supplied with necessary funds;

Your letter to this Office of 20th June last purporting to be accompanied by the fieldnotes aforesaid (brought by the previous mail) and covering the account of Mr Garretson, certified to be correctly executed and approved, but devoid of your signature, for the ninetyix miles of surveys embraced by said notes, and stating your regrets at the non-arrival of your stationery from El Paso, which circumstance delayed the transmission of your Plats of Mr. Garretson's work, and alluding to the misapprehension on part of Mr. Garretson of the mode of construction of the standard Chains which misapprehension rendered it necessary when detected for him to remeasure the meridian Line for 48 miles north of the Base Line; but, while stating such work to have been corrected, it is not said that the boundary corners established according to the first measurement have been demolished or defaced— and if such has not already been done those corners must hereafter be destroyed, in order to prevent any future evil consequence, that might result from leaving them to stand. You will, of course, not lose sight of this suggestion, nor fail to act accordingly. The standard Chain alluded to (as are all others) was constructed by one of the most scientific mechanicians in the country, employed in the Coast Survey Department; and the error alluded to resulted from the nonobservance (of what has been deemed self-evident to the eye of every observer) that the concluding links at the two extremities are within & short of the handles, which are designed to be used for the indispensable purpose of stretching the chain to its utmost degree of tension when using it as a standard to regulate the working Chains. The error is regretted because of its having injured the Deputy and caused delay in his work. In rectifying his measurements

on that portion of the Principal Meridian South of Base which were also made prior to the discovery of the misapprehension of the standard, the Deputy, of course, must also be required to demolish the corners established under the wrong measure.

Your letter of 22nd July last refers to the letter from this Office of 4th May last on the subject of retaining a percentage on Contracts for surveying public lands so as to create a fund admitting of carrying out the design of having examinations made of the field work in order to insure confidence of its correctness. As you represent that the Deputy charged with the Survey of the Principal Meridian had to engage at heavy cost his own armed escort to protect his surveying party from molestation by the depredatory Indians during the progress of that work, it seems impossible to cause the same work to be examined after the method proposed, and for a like reason, you intimate the impossibility of examining the work on the Base and Standard Lines, which like the other, will pass through Countries "infested with roving bands of Hostile Indians whose habits have been marked by pillage, rapine and murder for ages past" Hence you think it necessary to restrict the examination of the Surveys in New Mexico to Township exteriors and subdivisions of Townships, as these are to be supposed to lie within the more settled and civilized regions of the Territory While yielding to the substantial reasons you assign for dispensing with the official regulations as respects the Principal Meridian, Base and Standard Lines in your district, this Office nevertheless has to regard you as assuming the full and entire responsibility of insuring faithful work, through your confidential agents, under all such peculiar circumstances where it is found impossible to apply the ordinary means of testing the work because of the danger and cost of so doing. Nevertheless, you will let it be understood that the Deputy and his bondsmen will ever be held legally responsible under the act of 8th August 1846 for any and all erroneous, false and fraudulent surveys which, at any time hereafter, may be detected in their work, but which, it is hoped, may ever be executed in good faith. As respects Mr. Garretson this Office is not indisposed to believe, on your representation, that his zeal and energy in the prosecution of his work merit high commendation.

I have also to acknowledge the receipt of your letter of 27th July, accompanied by the plats of Mr. Garretson's work, the fieldnotes of which arrived by the previous mail.

Mr. G.'s account therefor will be immediately adjusted, and remittances will be requested by this Office by draft on New York.

Requisition was made on 15th June last for a warrant in your favor for $15,000— the acknowledgment of the receipt of which is expected by next mail.

Transmitted herewith is a copy of a communication, addressed to the Surveyor General of Washington Territory, setting forth the views of this Office as to the manner of conducting examinations of the public Surveys, and which are equally applicable to your district whenever such examinations are instituted.

Very respectfully, your obt Svt.,
Thos. A. Hendricks,
Commissioner.

[Copy.]

General Land Office
July 15, 1885.

James Tilton, Esq.,
Surveyor General of
Washington Territory,
Olympia, W.T.

Sir.—

In your letter of 22nd May last you request instructions relative to your accounts for employment of Examiners of the Public Surveys, and as to what tests or examinations will be considered adequate.

The per centage retained according to contract for examinations of surveys in the field is to constitute the fund for compensating the examiners of surveys, and such compensation will have to be as per diem including expenses as explained in conclusion hereof.

The object of the examination is to endeavor to arrive at a moral certainty that the fieldwork generally has been faithfully executed under the contract, particularly as respects the efficacy of the marks at the corner boundaries; also as respects the permanent character of the mounds (where such are the monuments used for perpetuating corner boundaries), and also that the lines are so marked by blazes on the trees, according to the Surveying requirements, as to be readily distinguished and traced. Such objects can be accomplished by observations made either on foot or horseback.

To ascertain the general character of the works it is of course not necessary or intended to examine all its details — to do which would be almost impossible in view of the time, labor and expenses of the work: but it is wanted to arrive at the facts, as respects the efficient business character of the work — as to whether the lines, generally, are readily traceable — whether the letters and figures that serve to mark the corners are plain, distinct and unmistakable — and whether the mounds have been constructed in all external, as to size, form and manner, according to the manual of Surveying Instructions. It is evident that in order properly to determine these matters the Examiner

himself must be well versed in the requirements of the surveying service: otherwise his examinations will be of no account whatever — and no Examiner must be employed except such as is capable of detecting and who will faithfully expose defects: otherwise a Surveyor General might culpably lend himself to the concealment of a public wrong, instead of exposing it. The law presumes that a Surveyor General knows his duty, and that he will make his subagents do theirs; and, inasmuch as the extent to which it is really necessary or expedient to examine a man's work must be suffered to rest with the sound judgment of the Examiner, in view of the facts as he finds them, because it is all important to the value of an examination that the Surveyor General should always appoint an Examiner who is in all respects trustworthy and competent to his task

As a general rule where a single line, such as a standard parallel or guide meridian, is to be examined, the Examiner traveling the entire length of the line for that purpose, will be expected to stop to make his observations at every corner; but where the section and quarter section corners of a township survey are to be examined it is hardly to be expected that the Examiner can do much, if any, more than to travel across the Township in a diagonal, zigzag direction and inspect the corners on his route — and if, in so doing, he finds that the work does stand the test, he may deem further examination unnecessary, and report the result accordingly: but, should doubts exist, he may conclude it to be necessary to prosecute the investigation still further, by traversing the Township in another direction. Thus, if he traverses it from S.E. to N.W. in the first instance, his next movement may be from S.W. to N.E. In case the work is found to be inefficiently executed, erroneous, false and fraudulent, it comes within the purview of the act of 8th August 1846 (see act quoted in the Manual) in such case made and provided; and the respective duties of the Surveyor General and District Attorney of the United States thereupon are distinctly prescribed by that act — and the Department requires and expects that such duties will without fail be promptly and impartially executed.

Among the tests of the work it will naturally be asked whether the test of chaining is ever to be applied, or omitted altogether. It is evident that to apply the test of chaining to much extent would be attended with greatly increased expense: but nevertheless, it is not designed to omit it altogether. The Examiner is to be clear to the field with a chain tested by the Standard in the Surveyor General's Office; and it is expected that he and one assistant might together (without increasing the expense of having two assistants for that exclusive purpose) do all the test chaining that can reasonably be expected. A line here and there may be tested in order to determine the general character of the work in that respect

The Examiner will be paid not exceeding five dollars per day, and his actual expenses — necessary and reasonable expenses only, are intended. Should however the Examiner be a salaried clerk in your employ, in that event his own actual expenses and those of his assistants will only be allowed in addition to his regular salary.

When an account is made up by you in favor of an examiner you will therein set forth the names of the Deputy whose work has been examined and the date of his contract, and transmit the same to this office for settlement at any time within the Quarter, without delaying the same for the purpose of accompanying your quarterly accounts.

From time to time as you are enabled to certify the work for any portion of a Surveying Contract, you are to transmit the accounts therefor for settlement accompanied by the approved Township Plats, and, if practicable so to do, at the same time you will forward certified transcripts of the fieldnotes of the same Townships, as it is not designed that the renditions of such fieldnotes shall ever be in arrear. The accounts for surveying under a contract will thus be adjusted for the portions of work completed, without waiting the final completion of all the townships included in such contract.

In reply to your concluding question you are informed that, in calculating the allowance for transcribing fieldnotes per hundred words, the practice is to regard a figure as a word.

I would remark, in conclusion, that the test of field examination, as an additional evidence of the accuracy of the work, is to be applied after the same shall have undergone the test of examination and platting in the Surveyor Generals Office; and such examinations should be so regulated as that one Examiner only will be employed to inspect the work executed under several surveying contracts. If, on all such tests, the work is found to be deemed correct, the balance, if any, of the money retained will, after paying the Examiner, be paid over in just proportion among those from whose contracts the same was deducted. If there be four different, but contiguously situated, surveying contracts of unequal size, some requiring longer time to examine the work performed by the respective Deputy Surveyors than others, and all prove on examination to have been correctly surveyed, then the expenses incurred by the Examiner (who will have to be required to keep a separate account of time spent in the performance of his duties on each of the Deputies' work) are to be deducted from the fund accumulated by the retentions of the per centage from the four contracts, in just proportion, and the balance, of the fund, whatever may be left, will be refunded to each of the Deputies directly from the Treasury upon your rendering supplemental accounts of the parties concerned.

Your instructions to Mr. Turpin — whom you have appointed to examine Mr. Frost's surveys — are deemed imperfect and inefficient, and he should not have been sent out in company with the Surveyor. The field work should be performed before the Examiner is despatched to inspect it. As Mr. Frost will have to correct his work in manner herein directed, he will have to be paid for so doing, inasmuch as he is not responsible for the mode of surveying which has rendered such corrections necessary. The only mode of compensating him will be by a per diem allowance. Five dollars per day and necessary expenses may be allowed for every day necessarily occupied by him in making the needful corrections.

Respectfully &c., &c., &c.,

Geo. C. Whiting,
Acting Commissioner.

General Land Office,
September 15, 1855.

42. William Pelham, Esq.,
Surveyor General,
Santa Fé, New Mexico.

Sir.—

I acknowledge the receipt of your two letters of the 30th June last forwarding your "Salary" and "Incidental Expense" Accounts for the Quarter ending that date; and in reply have to inform you that upon the adjustment of the same the following balances due the United States are found; viz:—

On account of Incidental Expenses ..... $ 810 38
" " " Salaries ..... 3,640. 21

Making an aggregate of ..... $4,450. 59

thus caused. By charging you in your "Incidental Expenses" account with the amount of part of warrant No 59 of July 26, 1855, for $750, which could not have been received by you at the time of the rendition of your account, to which add the balances due the United States per your adjustment — viz: $60.38 — making the above sum of $810.38, and by charging you in your Salary account with the amount of warrants No 52, 58 and part of 59 of July 26th 1855, for $5,150, which could not have been received by you until after the rendition of your accounts, to which add the amount of unadjusted error in your accounts for the 4th Qr. 1855, of which you were informed per letter from the First Comptroller of the Treasury dated July 17th last, viz: $327.45 and also $125, being the difference of salary as claimed by you at the rate of $3,515 per annum, this Office recognizing your salary at the rate of $3000

only. These several items give an aggregate of $5.602.45, from which deduct $1962.21, being the balance due you as per your adjustment, and you have the correct balance due the United States at the present time, on account of the "Salaries of yourself and Clerks" of $3640.21, to which add the balance due on account of "Incidental Expenses," and the aggregate of $4,450.59 is accounted for.

Your accounts as adjusted have this day been reported to the First Comptroller of the Treasury for his decision thereon.

I am, respectfully,
Your obt. Servant,
Thos. A. Hendricks,
Commissioner.

Treasury Department,
Comptroller's Office
September 18 1855.

43 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé New Mexico.

Sir.—

Your accounts as Surveyor General of New Mexico on account of "Office Rent, &c.", for the second quarter 1855, have been adjusted at the Treasury, and a balance of $810.38 found to be due from you to the United States, instead of $60.38, the balance stated by you, making a difference of $750, which arises as follows, viz: By charging you with the amount of draft of warrant No. 59 of July 26, 1855, which was not received by you until after the rendition of this account, $750.

I am respectfully yours,
L. M. Ramsey,
Acting Comptroller.

Treasury Department,
Comptroller's Office
September 18, 1855.

44 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fe, New Mexico.

Sir.—

Your accounts as Surveyor General of New Mexico on account of "your own compensation and that of the Clerks employed in your Office" for the second quarter 1855,

have been adjusted at the Treasury, and a balance of $3,640.21 found to be due from you to the United States, instead of $1,962.24, the balance claimed by you as due from the United States — making a difference of $5,602.45, which arises as follows, viz: —

By charging you with the amounts of warrants Nos 52, 58, and part of 59, of July 26, 1855, which could not have been received by you at the time of the rendition of this account ..... $5,150.00

To which add:—

Amount of error in Pt. quarters accounts, still unadjusted ..... 327.45

" " " Salary overcharged ..... 125.00

Making the above difference ..... $5,602.45

I am, respectfully, yours,
J. M. Ramsey,
Acting Comptroller

General Land office
October 4th 1855.

45 — Sir. —

I have received your communication of the 29th June last, in which you state that there is a case presented at your Office for investigation "in which there is a very large amount of Land at issue, upon which there are squatters who design contesting the right of the grantee and have demanded the summoning of witnesses, &c.; that your Instructions do not inform you "who will serve the summons, nor in what way the witnesses are to be paid" — and you desire further instructions on this subject.

The Instructions referred to from this Office contain nothing on this point because there is no provision in the law for such purpose. It is presumed that claimants will produce their own witnesses and take all necessary measures to establish their rights. If they fail to do so, however, they alone are responsible for the consequences, and you will proceed with your investigations upon such testimony as may be brought before you.

You further state that you deem it important "to have the power at the proper time during the investigation to order a survey", for upon the information furnished by the surveyor

may depend the confirmation or rejection of the claims? It is expected that the evidence in each case will be such as will enable you to locate, or identify the claims, especially where they call as you state "for natural boundaries;" but no survey of a claim can under any circumstances be permitted by the U. S. Officers or at the expense of the Government until after the confirmation of such claim by Congress.

Very respectfully, Your obt Servant,
Jos. S. Wilson,
Acting Commissioner.

Wm Pelham, Esq.,
Surveyor General,
Santa Fé, New Mexico.

General Land Office,
October 12, 1855.

46 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, N. M.

Sir.—

In your letter of 31st August last you represent that a settlement has been formed in a rich and attractive country on the rivers Bonito and Ruidoso near their confluence which forms the Rio Fondo near Fort Stanton, in the vicinity of which a Correction Line will pass, and that such settlement is "on the public domain;" and with a view to accommodate the settlement you desire authority to survey a few Townships "not to exceed six or eight hundred miles" at the price provided for subdivisional work; You are authorized to enter into contract for the surveys alluded to, and requested to report from time to time such other localities where new settlements are being formed on lands belonging to the United States, and which can be approached by your Standard Line or Base Line, the early survey of which settlements would seem to be particularly demanded in your opinion for their accommodation.

Very respectfully,
Your obedient Servant,
Jos. S. Wilson,
Commissioner

General Land office,
November 7th 1855.

Wm. Pelham, Esq.,
Sur. Genl of New Mexico,
Santa Fé, N. M.

49

Sir.—

Your letter of the 29th Sept. last acknowledging the receipt of the remittance of $5,900 referred to in a letter from this office of the 31st July last, which letter stated that requisitions were drawn in your favor for $5,900, has been received.

In the closing paragraph of your letter, to which this is the reply, you request that remittances for the quarter ending 31st proximo be made to you for the payment of expenses which will be incurred during that period by drafts on New York. In answer I have to inform you that agreeable to your request I have this day requested the Secretary of the Interior that the following sums may be sent to you in drafts on New York, viz:

On acc of Rent of Office, &c, for the 4th qr 1855 ..... $ 750
And on acc of Salaries, including that of the Translator in your Office, for the 4th qr 1855 ..... 5.150
And amounting in the aggregate to the sum of ..... $ 5.900

It is proper to add that the rules of the Treasury Department carried out in the office of the Register of the Treasury require that payments made to the Translator should be included in your Salary account: you will please to act accordingly in the rendition of your quarterly acct.

Respectfully, your obt Servt,
Thos. A. Hendricks,
Commissioner.

General Land office
November 7, 1855.

48 Sir:—

I have to acknowledge the receipt of your letter of the 25th Sept. last forwarding contract No. 2 dated May 9, 1855, made with Garretson & Lawson, Dep. Surveyors, for the Survey of six hundred miles of Correction or Standard Lines east of the Principal Meridian, &c.

In consideration of your having released Mr. Lawson from the fulfillment of his portion of the contract—or the work embraced therein—

ent herein agreed with Mr Garretson for the completion of the work, it becomes necessary that you enter into a new contract with Mr. Garretson — as one party to a contract cannot be released without releasing the other. This course is proper not only in justice to Mr. Garretson to protect him in future, but for the better action of this Office. On receipt at this Office of the new contract of Mr Garretson the other will be returned.

I am respectfully, &c. &c.
Thos. A. Hendricks
Commissioner.

Wm. Pelham, Esq.,
Surv. Gen'l &c., &c.,
Santa Fé, N. Mexico.

General Land Office,
November 9th, 1855.

49 Sir.—

The Hon. Secretary of the Interior has referred to this Office communications from the Rev. J. Manl Gallegos and Judges Deavenport and Brockus recommending that you be directed to proceed to Washington in order to present to the Department and to urge your views and suggestions in relation to the Private Land Claims in New Mexico.

It becomes my duty to advise you that the decision of the Department is decidedly adverse to any such proceeding. Any communications of the nature referred to can be made in writing — and you are accordingly requested to make, at an early day, a full report to the Department on the subject — giving your views at length on all matters which you may deem necessary for the consideration of the Department or of Congress in connexion with your duties, accompanying the same with illustrations diagrams if necessary, and suggesting such amendments to the law for the adjustment of said Claims in the Territory as your experience shall have satisfied you are desirable, with the reasons in favor of such amendments.

Very respectfully
Your obt Servt,
Thos A Hendricks
Commissioner.

William Pelham, Esq.
Surveyor General
Santa Fé,
New Mexico.

Treasury of the United States,
Aug. 10th 1855.

57 Sir.

Enclosed you will receive one Treasury draft payable to your order. Please date and sign the accompanying Receipt, and return it to this Office by the first mail; and cause the draft to be presented for payment without delay.

Very respectfully
Your obedient Servant
S. Casey,
Treasurer of the United States.

Wm. Pelham,
Sur. Gen.

General Land Office
November 19th 1855.

57 William Pelham Esq.
Surveyor of New Mexico,
Santa Fe, N. M.

Sir—

I have to inform you that only one of your Annual Reports dated 20th September last has reached this Office, accompanied by two printed notices to the inhabitants of New Mexico marked A, one also dated in duplicate of appropriations required for your district for the fiscal year ending 30 June 1857, marked B. The only drawn to which accompanied your Report, and which were picked up in the Gila river, in the neighborhood, it is presumed the United States mail was robbed. You are requested to supply the deficiency occasioned by this loss, which you can accomplish by comparing the foregoing papers which have been received with those you mailed and referred to in your Annual Report.

I have to add that besides the above documents there were received at this Office from you the following letters, viz:

Your letter of 28th Sept. last transmitting Contract No. 2;
" " 31st. " " in explanation of item in your qr. a/cs. for rent of Office, &c.;
" " 30th. " " transmitting List of Officers and their Compensation;
" " 30th. July " " Salary a/c. for qr. ending 30th Sept. '55;
" " 30th " " Office Rent a/c. " " "
" " 30th " " Special Deed as Recr. Pub. Moneys.

Very respectfully,
Your obt Servt
Thos. A. Hendricks,
Commissioner.

General Land Office
November 29 1853.

52 Sir:—

The Bonds executed by you as Receiver of Pub. Moneys has been approved.

Very respectfully
Thos. A. Hendricks.
Commissioner.

Hon Pelham Esq.
Surv. Gen'l of New Mex.
Santa Fé.
New Mexico.

General Land Office
November 30 1853.

53 William Pelham Esq.
Surveyor General of New Mexico.
Santa Fé, N. Mex.

Sir.

On 7th September last there was transmitted to you a copy of a communication from this Office to James Gillis, Esq., Surveyor Gen'l of Washington Territory in the subject of examining the public surveys in the field, and wherein this office objected to the plan he had adopted of causing such examinations to be made before the work under a contract has been completed.

Mr. Gillis, in his reply of 11th September last represents the expediency of having such examinations progress while the surveys are in process of execution on the ground of economy and utility both to the Examiners and the Deputy Surveyors — and for the reasons which he assigns this Office has deemed it proper to adopt the course of proceeding he proposes.

Copies of his letter and the reply from this Office dated 29th inst. are herewith transmitted for your information; and should the circumstances attending such examinations in your District be found analogous to those in Washington Territory as render proper, in your opinion, a like course of proceeding, in the cause of economy and utility, to that now pursued in Washington Territory, you are authorized to adopt the same — always keeping the cost of making such examinations within the amount of the fund reserved for that purpose.

Very respectfully, your obt. servt.
Thos. A. Hendricks, Commissioner

Copies sent Surv. Gen'l. Wn. T.
Olympia, W. T.
Sept. 14, 1880.

Commissioner General Land Office.

Sir—

In reply to that part of your letter dated July 31, 1880, in which you say:

"It appears that you have deemed it proper to appoint a separate Examiner of Surveys for each Surveying Contract— the propriety of such proceeding is to say the least doubtful;"

I would state that I have employed Examiners of Surveys upon each separate contract only on the running of Meridians and Standard Parallel Lines. Their only duty was to run a test compass after the Deputy Surveyors line, and for economy to camp with them every night, and so save the expense of having a separate camp. In no instance except one will the cost of such examination exceed the percentage deducted from the contract price per mile, and the test upon these important lines is better made than by any other mode I can devise.

You state "the Examiner should be a person of well established moral integrity, and well qualified for such Service in the field in all cases and by subsequent experience."

In reply I would state the above conditions were observed in every case.

With regard to employment of Examiners of Contracts for town and subdivisions I have employed two Examiners for five contracts. These Examiners travel from one contract to another lying adjacent, and their amount of service upon each is always within the percentage deducted on the contracts, except in one case, that of the extension of the 3d Standard Parallel, directed by Mr Smith when the extraordinary difficulty of the country was such that it consumed 29 days to survey and mark 21 miles of Standard Parallel Line.

In conclusion I would urge upon your Office the utility of permitting me to employ Examiners during the progress of the work— both in view of economy in doing the expense of a Camp to the Examiners and the loss of time to the Deputy who is to be obliged to await the result of examination after he had finished.

Instances will arise in which he can correct in the field when his party is with him, if a Examiner is in his work necessarily during the progress of his Survey, and also the constant inspection of the work, makes it more easy to correct and makes the Deputy more careful.

The necessary cost of traveling, the remoteness of the office from many of the contracts, and the almost total absence of roads in this Territory make it ruinous to a Deputy Surveyor to be under—

the necessity of returning to his work to correct any error which may be discovered after he has finished and brought his notes to this Office; and in view of these facts I would respectfully ask permission to employ Examiners of Surveys during the progress of the work.

In the meanwhile when Clerks are employed as Examiners of Surveys I will pay them, as you instruct the amount of salary plus their expenses, which will make about the same as $5 per day allowed to other Examiners, who will only be employed upon finishing work when they return from the field.

I am, Sir, very respectfully,
Your obt Servant,
James Tilton,
Surv Gen'l W.T

General Land Office
November 29, 1860

James Tilton, Esq.,
Surveyor General of
Washington Territory,
Olympia, W.T

Sir—

I have received your reply under date of 12th September last to the communication from this Office of 31st July last on the subject of examining the public surveys in the field, and have considered the peculiar difficulties of the country which you set forth as rendering it every way expedient that such examinations be made while the surveys are in actual progress, on which account of surveying you urge "both in view of economy in saving the expense of a Camp to the Examiners and the loss of time to the Deputy surveyor who is obliged to await the result of the examinations after he has finished—the excessive cost of traveling, the remoteness from the Office of many of the contracts, and the almost total absence of roads in the Territory," which, you remark, "make it ruinous to a Deputy Surveyor to be under the necessity of returning to his work to correct any error which may be discovered after he has finished and brought his notes to this Office," &c.

Under all these weighty considerations, the course you have adopted in making those examinations meets the concurrence of this Office.

Very respectfully,
Your obt Servant
Thos. A. Hendricks,
Commissioner

Treasury Department
Comptrollers Office
December 5th 1855.

54 Wm Pelham Esq.
Surveyor General of New Mexico
Santa Fe, New Mexico

Sir.

Your accounts as Surveyor General of New Mexico on account of your own compensation and that of the Clerks employed in your office, for the 3rd quarter 1855, have been adjusted at the Treasury and a balance of $3,114.12 found to be due by you to the United States instead of $502.12, the balance stated by you, making a difference of $3100. which arises as follows, viz:

By charging yourself with amount of Warrant No. 664 dated Nov. 9 1855, which could not have been received by you until after the rendition of your account. $3.100

I am respectfully yours,
Elisha Whittlesey
Comptroller

Treasury Department,
Comptrollers Office,
December 5th 1855

55 Wm. Pelham. Esq.
Surveyor General of New Mexico,
Santa Fe, N. Mo.

Sir.— Your accounts as Surveyor General of New Mexico on account of Office rent, fuel and incidental expenses for the 3rd quarter 1855, have been adjusted at the Treasury, and a balance of $953.80 found to be due by you to the United States instead of $88.65 the balance stated by you, making a difference of $1042.45. which arises as follows, viz:

By charging yourself with amount of warrant No. 664 dated November 9, 1855, which could not have been received by you until after the rendition of your account. . . . . $750.—

Add the aggregate amount of vouchers, Nos. 3 to 14 inclusive, which vouchers have been disallowed, no authority existing for the expenditure of the several items thereof. . . . . 292.45

Difference as above. . . . . $1042.45

I am respectfully yours
Elisha Whittlesey
Comptroller

General Land Office
December 8, 1855

56 William Pelham, Esq.
Surveyor General of N. Mexico,
Santa Fé, N. M.

Sir.—

On the 19th November last I wrote to you informing you that only one of your Annual Reports had reached this Office, accompanied by two printed Notices to the inhabitants of New Mexico, marked "A," and estimates in triplicate marked "6."

Since writing the above letter of 19th November there have been received a triplicate of your Annual Report and Diagrams marked "8."

Very respectfully, &c,
Thos. A. Reindricks,
Commissioner.

General Land Office
December 13, 1855.

57 Wm Pelham, Esq.
Surveyor General,
Santa Fé, N. Mexico

Sir.—

I acknowledge the receipt of your letters of the 30th September last forwarding your accounts for the quarter ending on that date, and also making certain explanations in relation to several items in your "rent account" of a peculiar character.

Upon the adjustment of the above accounts the following balances, are found, viz:

| | |
|---|---|
| Due the United States on account of "Salaries" | $3.714.12 |
| And on account of "rent, &c." | 953.80 |
| Making a total of | $4.667.92 |
| From which deduct a balance due the United States per your admittance of | 470.47 |
| And the difference of | $4.192.45 |

is created. This difference is caused by the transmission to you per drafts of $3.900, which you could not have received at the time of the renditions of your accounts and the disallowance of vouchers No. 3 to 14. inclusive of your rent account, amounting to $292.45/100.

The 8th Section of the act approved 22nd July 1854 mentioned in your letter of the 30th September last confers authority on the Sur-

veyor General to issue notices, summon witnesses, administer oaths, and do and perform all other necessary acts in the premises," under such instructions as may be given by the Secretary of the Interior. Neither that law nor the Instructions approved by the Secretary on the 25th August 1854 authorize you to incur the expenses in purchasing a mule, paying for summons to witnesses and their mileage. See the answer dated 4th October last to your call upon this office in the matter.

These facts considered, the items included in your quarterly Account for the Quarter ending 30th September last for "rent" &c, per vouchers 3 to 14 inclusive, have been disallowed.

The foregoing accounts as adjusted have been reported to the First Comptroller of the Treasury for his decision thereon.

I am respectfully,
Your Obt Servant
Thos. A Hendricks,
Commissioner.

General Land office,
December 17, 1855.

58 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, N. Mo.

Sir.—

Pursuant to Instructions of the 11th. instant from the Secretary of the Interior, you are hereby directed to notify Deputy Surveyors that no assignment of amounts due them which may be received at this office after the 1st April 1856 will be recognized.

Respectfully,
Your obt Servant
Thos. A. Hendricks.
Commissioner.

[illegible]

59

General Land Office
January 7th 1856

Sir

Herewith I transmit to you a copy of a letter dated the 3rd ult. from John Wilson Esqr for the present owners of the Ortiz claim, with the original papers therein mentioned, to wit.

A— Record of the proceedings had before Alcalde Francisco Baca Ortiz, on the application of Jose Francisco Ortiz and Ignacio Cano, for a newly discovered mine in the Bear Mountain, called Santa Rosalia— dated 15th & 19th December 1833 inclusive

B— Deed of transfer to John Greiner by Maraquita Montoya, widow and sole heir of Jose Francisco Ortiz, of a parcel of land, containing said gold mine known as Sta Rosalia, dated December 6th 1853.

C— Deed of sale from John Greiner and his wife Laura to Elisha Whittlesey et alg, conveying to them a gold mine, in the Bear Mountain, New Mexico; bearing date 19th August 1854

D— Application dated August 27th 1855 to Surveyor General Pelham, signed by A. Rencher, Elisha Whittlesey, and others as "present Claimants of the Ortiz Grant," accompanied by

E— Communication dated August 27th 1855 from John Wilson Esq to Surveyor General Pelham with his

F— Brief and Mem. in regard to the "Ortiz Mine".

G— Translation from the Spanish into English of the Record of proceedings, extended in Paper A

These papers are sent to you at the instance of the claimants in order that they may be properly examined and acted upon by you pursuant to the provisions of the Act of Congress approved 22nd July 1854, entitled "An act to establish the Office of Surveyor General of New Mexico, and Nebraska, to grant donations to actual Settlers therein and for other purposes".

As a measure of security these papers are transmitted through this office where certified copies of them are retained.

You will please acknowledge the receipt of them.

Very respectfully
Your Obt. Servant
Jno. A Hendrick
Commissioner

Wm Pelham Esq
Surveyor General of New Mexico
Santa Fe, New Mexico

60 Sir,

General Land Office
January 7th 1856.

Herewith I transmit to you a copy of a letter dated the 5th ult.o from John Wilson Esq. for the present owners of the Ortiz claim, with the original papers therein mentioned, to wit:

previously copied

Santa Fé, New Mexico
April 2nd 1856

Sir,

In Surveying the third Standard Parallel or Correction line North of the Base line through Ranges 20 to 25 East inclusive I found in the Valley of the Conchas River which is a few miles North of said Correction line considerable bodies of very rich land and I am informed that this rich land continues to the Rio Colorado or Canadian fork of the Arkansas River; and down said river I am informed that there are large bodies of rich land. I believe that these lands will produce well without irrigation as Alexander Bates on the Rio Gallinas in T 13 N. R 19 E has for several years produced fine crops of Corn without irrigation

Whilst engaged in the Surveys before named I was informed that a number of families would settle on these lands during the present season and I certainly think that there is a greater necessity for Surveying in the region of the Conchas & Rio Colorado than in the region of the Rio Bonito or any other portion of New Mexico not covered with private land claims

Respectfully
John W. Garretson
Deputy Surveyor

William Pelham Esq
Surveyor General of
New Mexico

Copy transmitted
January 28th 1856

99. [illegible]
[illegible]
[illegible]

[illegible]

Santa Fé, New Mexico
May 8th 1856

61 Sir

I have been frequently called upon by the Pueblo Indians to know when the Government will survey their lands and mark their boundaries, the only answer that I can give them is that I do not know. It is very important however that the lands belonging to the Pueblo Indians should be surveyed

The Mexican people have in many instances set up claims to land clearly within their limits, in some instances almost in the midst of the Pueblos, the consequence is that much ill feeling exists among them. If the different Pueblos were surveyed the Indians would know their rights, while the Agent could protect them against encroachments from others. The Gov.r of the Pueblo San Juan called upon me to day & informed me that some Mexicans are living within the limits of his Pueblo, and being satisfied with the lands they are willing they shall occupy, they claim more land than they are entitled to cultivate. They say that if Government does not do something to protect them in their rights they will expel the Mexicans themselves.

There are others of the different Pueblos in the same situation, they complain bitterly of the encroachments of Mexicans upon their lands. If their Pueblos were surveyed the difficulties would be avoided, I have thought proper to make these statements to you that you might urge the propriety of its being done, the subject should be laid before Congress this session, to procure an appropriation for the purpose of surveying these lands and marking the boundaries, if this is done the Indians would be easily kept within their limits.

I hope Sir you will place this letter before the proper officer of the Government, that it may be laid before Congress, and such action taken in the premises as will enable you to commence the work as soon as possible

I have the honor to remain
Your Obedient Sv
A. G. Mayer
Agent for the Pueblo Indians
of New Mexico

Genl. W. Pelham
Surveyor Genl of
New Mexico at Santa Fe

62 Sir,

Santa Fe, May 19th 1856

I have been frequently called upon by the Pueblo Indians who have filed their Documents to know when they can have their original papers or when they will receive their Patents for their Lands. I have to tell them that their papers are sent to Washington for confirmation, this they do not seem to like or understand. Would it not be as well to keep the origenal documents here & send certified Copies to Washington, this would enable me to satisfy them that their documents are safe, & you not supply the omission by sending to Washington Certified Copies, by adopting this Course the Pueblos would no doubt bring in the balance of their documents.

I have used all the means within my power to obtain the papers & titles of the Pueblos, I find that Rumors are out & believed by the Indians that Government will take their Lands from them, this is the reason alleged by some of them for not placing the papers in my hands, they feel that they are still in the hands of their former oppressors. If I had the power of visiting them at their Pueblos, I think it would enable me to obtain their title deeds. My intercourse has been limited to my alone, while but few of the Pueblos have been to see me.

I make these suggestions with a view of bringing the subject to your notice, his Excellency Colonel Meriwether & Ex Officio Superintendent of Indian affairs gave me instructions to act in connection with you in the discharge of my duty, but from some cause or other has not permitted me to visit the different Pueblos under my agency

I have the honor to remain
Your Obedient St
A. G. Mayers
Indian Agent for the Pueblos
of New Mexico

Genl. H. Pelham
Secretary for Genl. of New Mexico
Santa Fe

General Land Office
April 11th 1856

63 Wm. Pelham Esq
Surveyor General
Santa Fé, New Mexico,

Sir

You are requested to prepare a full Synopsis of your next Annual Report of the progress of your Surveying & Office operations, and mail the same in time to be received at this office at a period not later than the 1st of October next. You are also desired to furnish at the same time your Surveying and Office Estimates for the fiscal year ending on 30th of June 1858.

Your Annual Report, in full, accompanied by the necessary documents, Maps or diagrams, and comprising a copy of the Estimates must be mailed in time to reach this Office by the 1st of November next. Such Report and all the accompanying documents, maps or diagrams are to be furnished in triplicate.

The Synopsis, Estimate, and Report, respectively, are to be on good paper of the Cap size and the Report and accompaniments are to be written on every other page - leaving ample margin for attaching together the Sheets, so as to form, altogether, one complete and compact document.

In order to ensure timely compliance with these requirements, it is recommended that you commence the synopsis immediately on receipt hereof, making all the necessary additions thereto, from time to time, up to the date of mailing the documents.

Much official convenience and departmental facility will depend on your strict observance of these instructions. You therefore are requested to acknowledge the receipt hereof by return mail and intimate your entire apprehension of these requirements.

I am very respectfully
Your Obt. Servant
Thos. A. Hendricks,
Commissioner

64 To William Pelham Esq.
Surveyor Gen.l of N. Mexico
Santa Fé. N. M.

General Land Office
April 26th 1856

Sir,

Enclosed I transmit to you a copy of a Circular letter addressed to the Surveyors General of Public Lands in California, Oregon and Washington on the subject of the existing prices paid for public surveys in their respective districts. You are also requested to report on the same subject in regard to the prices paid in your district, in order to enable the Department to carry out the views expressed in the circular.

I am respectfully
Your Obt. Servt
Thos. A. Hendricks
Commissioner

Copy of Circular to Surveyors General of California, Oregon & Washington Ter.s

General Land Office
April 26th 1856

Sir,

An enquiry has been made respecting the present prices of surveying the public lands, and representations have been made creating the impression that the tariff of surveying prices at the commencement and authorized by the present existing appropriation is in some instances much too high.

At the institution of surveying operations in a new Country, the absence of facilities for transportation, the high prices of all the necessaries of life, and consequently the wages of labor, are causes which naturally have increased the cost of public Surveys - but, subsequently as settlements multiply, and open and facilities increase for obtaining supplies at diminished cost, the wages of labor may be expected to decrease in the same relative proportion, and consequently what were but fair prices in the beginning may from a combination of causes become extravagant in the same region of Country in a few years.

The Department desires to regulate the Surveying rates on just and equitable grounds and requests your cooperation, and to that end, you are called upon to state whether skillful and reliable deputies cannot be had in your District at rates lower than those you are now paying, and to report what reduction in existing rates can or ought immediately to be made.

(Respectfully &c
(signed) Thos. A. Hendricks,
(Commissioner

65

Wm Pelham Esq
Surveyor General
Santa Fe
New Mexico

General Land Office
May 1st 1856

Sir

I acknowledge the receipt of your letters of the 31st December, and 31st March last enclosing your "Salary" and "Rent" accounts for the 4th quarter 1855, and 1st quarter 1856, and in reply have to inform you, that the same have this day been referred to the First Comptroller of the Treasury for his decision thereon.

I have disallowed Voucher No. 4. of your "Rent account for the 4th Qr 1855, for the reason, that as you were notified on the 13th December last, of the disallowance of the Voucher in your 3d quarter 1855, account for the purchase of a Mule, I see no reason why you should have posted to your credit an amount expended for the purchase of "forage" when you were not authorized to keep at the expense of the United States, said Mule. For this reason I have disallowed the Voucher, and herewith return the same.

I have also to call your attention to an error of $1.20 in Voucher No. 9. 1st Qr 1856 "Rent account. Among the items purchased of A. Hyde of New Orleans is one of "6 pieces India rubber at 20 cents per piece", amounting to $1.20, instead of $2.40. With these corrections the balance due the United States on your "Rent" &c for the 1st Qr 1856 stands $422.71 to which amount, you will make your account for the 2d quarter agree.

I have also to call your attention to your failure to render a "Surveying account", charging yourself with the $15.000, remitted you on the 7th May 1855, and crediting to your credit such amounts as you may have expended out of the same.

Respectfully
Your Obt. Servt
Thos. A. Hendricks
Commissioner

General Land Office
May 2nd 1856

66 Wm. Pelham Esq
Surveyor General
Santa Fé, New Mexico
Sir

I acknowledge the receipt of your letter of the 20th November last forwarding the plats, field notes and account of John W. Garretson D.S for executing certain Surveys under his contract of the 9th March 1855, and his joint contract with James S. Lawson D.S. of the 9th March 1855, also the receipt of your letter of the 31st ultimo 1856, forwarding the application and release of said Lawson, from all participation in the above joint Contract, and in reply to your above letters have to inform you that I have this day reported Mr Garretson's account to the First Comptroller of the Treasury for payment, with request that the balance due him upon the same ($3.938.[illegible]) may be sent to him at Santa Fé New Mexico, in drafts of $500. each of which you will please advise him.

You are requested in future, to render accounts for Surveying, where the same is performed under two contracts, separately, that this office may be enabled to judge when the Contracts have been completed.

(Respectfully
Your Obt Servt
Thos. A. Hendricks
Commissioner

Treasury Department
Comptroller's Office
May 14th 1856

67 William Pelham Esq
Surveyor General of New Mexico
Santa Fé, N. Mexico
Sir,

Your accounts as Surveyor General of New Mexico on account of your own Compensation and that of the Clerks employed in your Office for the 4th quarter 1855 & 1st quarter, 1856, have been adjusted at the Treasury, and a balance of $4,214.12 found to be due by you, to the United States, as stated by you.

(Respectfully
Yours
Elias Whitney
Comptroller

68 William Pelham Esqr.
Surveyor General of New Mexico
Santa Fé, New Mexico

Treasury Department
Comptrollers Office
May 14th 1856

Sir,

Your accounts as Surveyor General of New Mexico on account of Office rent, fuel, and incidental expenses for the 4th quarter 1855 & 1st quarter 1856, have been adjusted at the Treasury, and a balance of $422.71 found to be due by you to the United States, instead of $407.14 the balance stated by you, making a difference of $15.57 which arises as follows, viz.

1st. The disallowance of Voucher No. 4 – 4th quarter of 1855 being for "forage" you having been forbidden to keep a horse at the expense of the United States, disallowed $14.37

To which add amount of error in Voucher No. 1 – 1st quarter 1856 account . . . 1.20

Making the above difference $15.57

Respectfully Yours
Elisha Whittlesey
Comptroller.

☞ Letter from Gen. N.G. Mayers, Indian Agent of May 29, 1856 – No. 380.
" June 3, 1856 – No 381.

Santa Fé, New Mexico
July 9th 1856

69 Sir

The different Pueblos, who have filed their title, claims in your office through this Agency are anxious to know when you will be able to survey their Pueblos. They complain very justly of the Mexicans occupying their lands, & some of the Pueblos their best lands are claimed by Mexicans.

I have made every effort to obtain the balance of their Titles, but from the limited power & facilities, I am unable to procure the balance of the Pueblo documents in your office. It seems to me that it would be good policy to survey the lands of those Pueblos that have filed their claims – & if this was done, it would enable the Govt to decide the respective claims to lands now in dispute.

I am satisfied that many of the Pueblo lands are held and occupied by Mexicans which clearly belongs to the Pueblo Indians. In many instances the Indians are deprived of their best lands by Mexican Citizens. It seems just & [illegible] of the Indians receiving justice until their lands are surveyed & their boundaries marked.

I have done all that could be done to obtain the balance of the Pueblo documents, but his Excellency G.

Superintendent of Indian affairs will not permit me to visit the Pueblos for this purpose.

I am satisfied that if a commencement was made by securing those Pueblos that have filed their documents, that it would induce the balance to come in with their claims, an impression prevails to some extent that Government will take their lands from them, but I do away with this impression as much as possible, by informing the Indians that Government will not, nor does not, desire to obtain their lands.

I regret that I am not permitted to perform the duty of my office more fully than I am, being from some cause or other prevented the privilege of visiting the remainder of the Pueblos for the purpose of placing the titles to land in your office, that I have made application to the Superintendent frequently to give me permission to go and visit the different Pueblos for that purpose, but have always met but one exception been told it was no use, or that I should write to others to perform this service, the Superintendent has himself offered to perform a portion of this duty.

I find myself wholly cut off from the discharge of this the most important duty of my office. I am confident that something should be done in regard to those titles now in your office. I believe it would have a tendency to satisfy the Pueblo Indians, that Government intend to do something to protect them in their homes.

Serious complaints have been made to me by Pueblo Indians that their lands are being claimed by intruders, I see no other or better way of settling conflicting claims of this character, than to survey their lands & mark their boundaries, and remove the intruders beyond the limits of the Pueblos.

I have the honor to remain
Your obedient Servt
A. G. Gallagher
Agent for the Pueblo Indians
of N. M.

Genl H. Dodge
Superintendent of
Indian Affairs
Santa Fe, N. M.

General Land Office
June 2nd 1856

70 Wm. Pelham Esq
Surveyor General
Santa Fé, New Mexico
Sir,

I acknowledge the receipt of your letter of the 30th April last forwarding the plats and account of John W. Garretson D.S. for the Survey of 48 miles of Guide Meridian No. 2, between Ranges 19 & 20 East, through Townships 9 to 16 North inclusive; and 192 miles of the Standard parallel North of the Base line and East of the Meridian in the Territory of New Mexico, under his contract of the 9th May 1855.

I have this day reported Mr. Garretson's account for payment, with request that a draft for the balance due him ($1600, may be sent to him, at Santa Fé New Mexico, of which you will please advise him.

Respectfully
Your Obt. Servt.
Thos. A. Hendricks
Commissioner

General Land Office
June 19th 1856

71 Wm. Pelham, Esqr
Surveyor General
Santa Fe, New Mexico
Sir:

I have the honor to acknowledge the receipt of your letter of the 30th April last, submitting an Estimate of One Thousand dollars for the construction of a "Stone Vault" for the safety of the public Archives, and asking its recommendation to Congress for that purpose.

Your letter was referred to the Hon. Sec. of the Interior, and the course, this Office, that on the 17th inst. he submitted the same to the Committee of Finance of the Senate, and of Ways and Means of the House, with a recommendation that the appropriation asked for be granted; but for the purchase of a suitable Safe, or Safes, instead of the construction of a Stone Vault, or any other permanent structure. The building of a Stone Vault would give a permanency to the location of the Offices, for which we have no authority of law; besides, it would be the beginning of a System of local office building which is not sustained by precedent.

I am, respectfully
Your Obt. Servt.
Thos. A. Hendricks
Commissioner

72 Wm. Pelham, Esqr.
Surveyor General
Santa Fé, N.M.

General Land Office
July 1st, 1856

Sir,

I acknowledge the receipt of your letter of the 15th May 1856 forwarding the field notes of the Survey of 48 miles of Guide Meridian, between Ranges 19 & 20 East, and 192 miles of the Standard Correction lines, executed by John W. Garrison Dy. S. under his Contract of the 9th May 1855.

I am respectfully
Your Obt Servt
Thos. A. Hendricks
Commissioner

73 William Pelham Esq
Surveyor General of New Mexico
Santa Fé, N. Mx.

General Land Office
July 5th, 1856

Sir,

I have to acknowledge the receipt of your communication of the 29th May last, enclosing a letter to you from A. G. Magoffin Esq. Indian Agent for the Pueblos of New Mexico, upon the subject of a mistrust entertained by the Indians in surrendering their title papers, for the purpose of being sent to Washington and suggesting the propriety of keeping the original evidences of title in your Office and transmitting the authenticated copies thereof to this, adding that this procedure would induce the Indians to file their land titles with you.

Upon referring to the original instructions dated August 21st 1854, you will find that the original title papers are required to be presented to and filed with the Surveyor General, in whose office it may and is intended they shall be carefully retained and preserved.

Your detailed report, and abstract founded upon the original papers, it is required should be sent to this Office to be submitted to Congress.

Very respectfully
Your Obt Servt.
Thos. A. Hendricks
Commissioner

74 Wm. Pelham Esq
Surveyor General
Santa Fé N M

General Land Office
July 10th 1856

Sir:

I acknowledge the receipt of your letter of the 24th ult May last forwarding Contract No 3, dated the 3d April last, entered into with John T. Garretson U. S. for the Survey of 156 miles of Meridian and Standard Correction lines, and 696 miles of Township and Subdivisional lines, North of the Base line, and East of the Principal Meridian in New Mexico; also a copy of instructions to Mr Garretson in relation to the Survey thereof.

I am respectfully
Your Obt. Servt
Thos. A. Hendricks
Commissioner

Circular.

General Land Office.
August 11, 1856.

75 Sir. ~

The Secretary of the Interior has laid down a rule for the government of the Surveying department of the Public Lands forbidding Surveyors General from entering into contract for the Survey of the Public Domain with persons who are their immediate relatives— "members of their families"— whose works, in their official capacity, it is the duty of the Surveyors General to revise and finally approve.

You will be pleased to acknowledge the receipt of these instructions— which it is expected will be strictly observed.

Respectfully, &c.,
Jos. S. Wilson,
Acting Commissioner.

William Pelham, Esq,
Surveyor General,
Santa Fé,
New Mexico.

General Land Office.
September 9th 1859.

76 William Pelham, Esq,
Surveyor General,
Santa Fé,
New Mexico.

Sir.— I acknowledge the receipt of your three letters of the 30th of June last forwarding your "Salary," "Rent" and "Surveying" Accounts for the Quarter ending on that day, and in reply have to inform you that your "Salary" and "Rent" Accounts have this day been reported to the First Comptroller of the Treasury for his decision thereon.

The adjustments of the above accounts show the following balances, viz:

On account of "Salaries" balance due the U States.....$639.12
" " " "Rent" " " you. .....$142.95

with which you will please make your books agree

I have disallowed Voucher No 3 of your "Rent a/c." "for amount discount on $1,000 draft on New York sold in New Orleans to pay L. B. Steck for Stationery, $8.75/100," for the reason that the Government draft on New York, issued in accordance with your request, might have been used by you in that city without any discount; and if you intended to make your purchases in New Orleans you should have requested a draft on that place, where you could have gone to the Asst. Assistant Treasurer's Office and received the full amount.

I have also disallowed Voucher No 4 of your "Salary a/c." for the reason that Mr. Whiting was paid for the time charged in said voucher in the 2nd Quarter of 1855, he at that time having been employed as a clerk in your Office at the rate of $1,500 per annum; and all services then rendered by him should have been considered as having been paid for by the receipt of his 2nd Quarter, 1855, Salary. A Salaried officer cannot receive extra compensation for services rendered.

I have suspended your "Surveying Account" for the reason that it is unaccompanied by any vouchers. Separate vouchers from those given by Mr. Garretson and embodied in his accounts returned to this Office for payment should have been taken by you to accompany your Quarterly Account. The vouchers given by Mr Garretson were for the purpose of enabling this Office to adjust his accounts and to pay to him any balance that might be due him. Vouchers should also have been taken by you to accompany and enable this Office to adjust your Quarterly account. You are requested to obtain from Mr. Garretson duplicate receipts for the amounts advanced to him upon his Surveying Accounts, the dates to correspond with those already given, and to forward one of the same to this Office as soon as practicable, that your "Surveying Account" may be adjusted, retaining the other in your office.

I have also to call your attention to an error, on your

part, in charging the amount of Voucher No 8, "for pay of James Kelley as messenger" in your Salary Account, instead of in your "Rent and Incidental Expense Account" I have placed the amount to your credit in the latter account.

Respectfully,
Your obt Servant,
John Ford,
Chief Clerk

P.S.—I return herewith the disallowed Vouchers.

Treasury Department,
Comptroller's Office
September 11, 1850.

74 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, New Mexico.

Sir.—Your accounts as Surveyor General of New Mexico, on account of "your own compensation and that of the Clerks employed in your Office" for the 2d. quarter 1850, have been adjusted at the Treasury, and a balance of $629 12 found to be due by you to the U. States, instead of $290.68, the balance stated by you, making a difference of $338.44, which arises as follows, viz:—

By disallowing Vr. ch[illegible]. the time charged for by Mr. Whiting having been paid for in the second quarter of 1850 ..... $158.44

And by error on your part in including in your "Salary Account" the amount of Vr. ch[illegible] 8, the same being properly chargeable to your "Rent and Incidental Expenses" account ..... 180.00

Making the above difference ..... $338.44

Respectfully yours,
Elisha Whittlesey,
Comptroller.

Treasury Department
Comptroller's Office.
September 11, 1856.

78 William Pelham, Esq.,
Surveyor General of
New Mexico.
Santa Fé, Newmexico.

Sir:— Your accounts as Surveyor General of Newmexico on account of "Office Rent, Fuel and Incidental Expenses" for the 2nd Quarter, 1856, have been adjusted at the Treasury, and a balance of $142.95 found to be due to you from the United States, instead of $28.20, the balance due to the United States as stated by you, making a difference of $171.25 which arises as follows, viz:—

By error on your part in charging to your "Salary account" the amount of Vr 208 for Salary of James Kelley as Messenger, which should have been charged to your "Rent Account"..... $180.00
From which deduct amount of Vr 3 for amount discount on $1,000 draft on New York sold at New Orleans, &c., said voucher not being allowable, disallowed.... 8.75
Making the above difference..... $171.25

Respectfully, yours,
Elisha Whittlesey,
Comptroller.

General Land office
September 11, 1856.

79 William Pelham, Esq.,
Surveyor General of
New Mexico,
Santa Fé
New Mexico.

Sir:—

Agreeably to your request of the 29th June last— that a remittance be made to you sufficient to pay the salaries of your Clerks for the Quarter ending the 30th instant, and also one half of the appropriation for Incidental Expenses of your Office— I have this day requested the Secretary of the Interior that a Warrant may be issued to you for the following sums:—

| | | |
|---|---|---|
| For your own Salary | $750 | |
| " Salary of your Clerks | 1,000 | $1,750 |
| " compensation of Clerks to be apportioned, &c. | | $75 |
| " " of a Translator | | 500 |
| Making a total on account of Salaries | | $3,125 |
| For Incidental Expenses | | 1,000 |
| Aggregate | | $4,125 |

Very respectfully,
Your Obedient Servant,
John Ford,
Acting Commissioner.

General Land Office,
September 15, 1857.

83 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, N. M.

Sir:— The following appropriations were made by Congress and approved on the 18th ultimo, for the Surveying Service in New Mexico, for the fiscal year ending 30th June, 1857, to wit:—

1.— For the compensation of the Surveyor General of New Mexico and the Clerks in his Office..... $6,214.67
Of which the sum of $2,714.67 is on account of your own Salary and $3,500.00 on account of your Clerks

2.— For compensation of Clerks in the Offices of the Surveyors General, to be apportioned to them according to the exigencies of the public service, &c., $11,000— of which there has been assigned to your Office the sum of..... 3,500.00

3.— For compensation of a Translator in the Office of the Surveyor General of Newmexico..... 2,000.00

Making a total on account of Salaries..... $11,714.67

4.— For rent of the Surveyor General's Offices in New Mexico, fuel, books, stationery, and other incidental expenses..... 3,000.00

5.— For continuing the survey of base, meridian, standard parallel, township and section lines in New Mexico..... 20,000.00

There remains upon the books of this Office the unexpended balances of former appropriations applicable to your Surveying District as follows:~

| | |
|---|---|
| On account of your own Salary | $285.33 |
| " " " compensation of your Clerks | 300.00 |
| " " " Surveying the necessary Base, Meridian, Standard Parallel, Township & Section Lines | 7,541.10 |

As no Private Claims in New Mexico can be surveyed by the United States' officers until the same are reported on by you to this Office and the Congressional action by confirmation is had upon the Claims, the estimate of $20,000 submitted by you with your Annual Report dated 30th September, 1855, was not presented to Congress with the view of getting an appropriation for that purpose

Very respectfully,
Your obt servant
Jos. S. Wilson,
Acting Commissioner

Treasury of the United States,
September 18, 1856.

87. Sir:~

Enclosed you will receive two Treasury Drafts payable to your order. Please date and sign the accompanying receipts, and return it to this Office by the first mail; and cause the Drafts to be presented for payment without delay.

Very respectfully,
Your obt servant,
T. Casey,
Treasurer of the United States

Wm Pelham, Surveyor General
Santa Fé, New Mexico.

N.B.- The payee of a Treasury Draft, when he endorses it, or, presenting it for payment, receipts it, should write his name thereon as it is written in the Draft or in the endorsement that assigns it to him - taking care to affix his official or representative style or title, if it be written in the Draft or in said endorsement. An endorsement by a mark should be attested by two subscribing witnesses: if by a substitute it must be accompanied by evidence of the substitution, except in the case of president or cashier of a bank or other institution

General Land Office,
October 14, 1855.

82. Wm Pelham, Esq.,
Surveyor General,
Santa Fe,
New Mexico.

Sir.—

I am in receipt of your letter of the 30th August last on the following subjects:—

1 In the case of the blank Township Plats sent to you on the 1st of April, 1855, which you state are found incorrect for practical purposes, and request more correct supply, I remark that since the transmission of those Blanks, it has been found necessary to require the Surveyors General to return manuscript Plats of Survey executed under their direction — and this requirement you will please understand as extending to your surveying district.

2 You ask a remittance of $15,000 for Survey of Public Lands and Private Land Claims pursuant to your suggestions of the 20th April 1855. In this matter I have to say that hereafter remittances for the purpose of liquidating liabilities upon contracts for surveying the Public Lands will be made — under a recent decision of the Department — directly to the parties interested, upon the receipt of their accounts properly certified by the Surveyor General and accompanied by the necessary evidences of the work performed. For this reason there will be no further advances made to you for the payment of Deputy Surveyors, but they will be paid directly from the Treasury upon the adjustment of their accounts by drafts in their favor. To avoid, however, any embarrassments which might arise under the temporary policy which has existed in paying deputies through the Surveyor General in New Mexico, I have this day requested the Department to remit to you the sum of, $5000. Out of this sum you are directed to pay Deputy Surveyor Garretson for the work executed by him under his contracts dated March 9, 1855, and April 3, 1855; the balance of this remittance, together with that due by you, viz:— $340.69 on Surveying account, you are required to disburse and close the account, leaving in future but two different accounts, viz:— That for Salaries and Rent of Office Accounts.

3 In relation to the recommendation by you of "the propriety of the survey of the valley of the Rio Grande into Townships in order that the regularity of the Public Surveys may be preserved, and also to enable your Office to connect the surveys of the Private Land Claims thereto,"

and asking the authority for subdividing the Townships in order that the Surveys of the Public Lands may be attached to them, &c.; in regard to this I answer that no objection is seen by this office to the Townshipping the Valley of the Rio Grande to the extent the means placed by Congress at the disposal of this Office will allow: but you must be careful not to survey or establish any lines of the Private Land Claims in advance of their confirmations by Congress based upon your report in the matter, as you have no authority of law for surveying unconfirmed private Claims.

In connection with this latter subject I take occasion to observe that the expenses incurred by you in the investigation of the Pino claim as alluded to in your letter of the 30th May last, cannot be allowed, for the reason that no appropriation has been provided for payment of the expenses incident to the adjudication of Private Land Claims, nor can any estimates be submitted to Congress by this Office for the same until the claim is confirmed.

Respectfully,
Your obedient servant,
Thos. A. Hendricks,
Commissioner.

General Land Office,
October 15, 1857.

83 William Pelham, Esq.,
Surveyor General,
Santa Fé, N. M.

Sir.

I acknowledge the receipt of your letter of the 29th August last alleging to have forwarded therewith the maps and fieldnotes of "the Survey of 24 miles of Guide Meridian No. 2 between Ranges 19 & 20 East, through Townships 17, 18, 19 & 20 North – 101 miles, 34 chains & 75 links of Standard Correction Lines, and 285 M., 11 chs. & 70 lks. of Township Boundaries and Subdivision Lines," Surveyed by John W. Garretson, D.C., under his contract of the 3rd April last, together with the account therefor, amounting to $5,372.26/100.

All the above documents have been received at this Office with the exception of the Plat of the "Line between Townships 30 & 31 N.,

Ranges 26, 27, 29 & 30 E." & the Heat of the Range Lines in Township 13 N., between Ranges 25 & 26 E., 26 & 27 E., 27 & 28 E., 28 & 29 E., 29 & 30 E. & 30 & 31 E.," which it is presumed you omitted to enclose with the balance of the Plats.

So soon as the Plats of the foregoing mifing Lines shall have been received at this Office Mr. Garretson's account will be reported for payment.

Enclosed, I send you a Diagram which is the form adopted by the other Surveyors General in making returns of Exterior Lines, and which it is desired you will also adopt- much time, labor and expense being thereby saved.

Respectfully,
Your obedient servant,
Thos. A. Hendricks,
Commissioner.

Treasury of the United States,
October 18, 1858

84 (a) Sir:— Enclosed you will receive one Treasury draft payable to your order. Please date and sign the accompanying receipt, and return it to this Office by the first mail, and cause the draft to be presented for payment without delay.

Very respectfully, your obt Servt,
S. Casey, Treasurer of the U. States.

Wm Pelham, Sur. Gen.

Treasury of the United States,
November 9th 1858.

84 (b) Sir:— Enclosed you will receive three Treasury drafts payable to your order. Please date and sign the accompanying receipt and return it to this Office by the first mail, and cause the drafts to be presented for payment without delay.

Very respectfully,
Your obedient servant,
S. Casey,
Treasurer of the United States.

William Pelham,
Surveyor General.

General Land Office
October 31, 1857.

85 Wm Pelham, Esq.,
Surv. Genl of New Mexico,
Santa Fé, N.M.

Sir.— I acknowledge the receipt of your letters of the 30th ultimo:

1. Transmitting the Annual Report in Triplicate dated the 30th ult, which have reached this Office, together with the two tin cases containing the documents mentioned in your letter forwarding the same.

2. Asking a remittance to defray the expenses of your Office for the Quarter ending the 31st December next— and in accordance with your request I have asked the Department to remit to you, in drafts of $1,000 on the Asst Treasurer at New York city, the following amount, to wit—

| | |
|---|---|
| For your own salary | $750 |
| " Clerks | 1,000 |
| " Clerks transcribing fieldnotes of Surveys, &c. | 875 |
| " Compensation of the Translator in your Office | 500 |
| Making a total of | $3,125 |

3. Requesting this Office that the Amount appropriated per act of 18th of August last for Fireproof Vaults, &c., viz: $2000, or so much thereof as may be necessary, may be remitted to you. In answer I have to inform you that the appropriation to which you allude does not apply to your Office, but to the Territorial Government of NewMexico— there being no appropriation for the construction of Vaults for the preservation of the archives of your Office. No funds can be remitted to you for that purpose.

I am, very respectfully, your obt servant,
Isa. S. Wilson,
Acting Commissioner.

General Land Office,
November 19, 1857.

86 Sir.—

Enclosed herein you will find a copy of a letter from the Honorable Secretary of State to the Department of the Interior, having reference to the subject matter of your letter dated 30th September last to this Office, which, having been communicated to the Honorable

Secretary of the Interior with a suggestion that proper facilities might be afforded to your Office by the Governor of the Territory, in storing its archives in the vaults to be erected under the appropriation of August 18, 1856.

Respectfully, &c.,
Thos. A. Hendricks,
Commissioner.

Wm. Pelham, Esq.,
Sur. Gen'l of Newmexico,
Santa Fé, N.M.

[ Copy ]

"Department of State,
"Washington, 14th Nov, 1856.

"To Honorable R. McClelland,
Secretary of the Interior.

"Sir.- I have the honor to acknowledge the receipt of your letter of the 12th instant, with its enclosures, in relation to the request of the Commissioner of the General Land Office, in behalf of the Surveyor General of Newmexico, 'that such facilities may be afforded him by the Governor of the Territory as can be, consistently with the public interests more immediately under his charge, for the safekeeping of the funds and valuable records, &c., in his custody, in the vaults, for building which an appropriation was made at the last session of Congress.'

"In instruction to this effect, together with a copy of your letter and its accompaniments, will be transmitted to the Governor of New Mexico without delay.

"I have the honor to be, Sir,
"Your obt servant,
"W. L. Marcy."

General Land Office,
December 8, 1856.

87 Wm. Pelham, Esq.,
Surveyor General,
Santa Fé, Newmexico.

Sir:-

I acknowledge the receipt of your several communications of the 30th September last forwarding your

"Salary," "Rent" and "Surveying" accounts for the Quarter ending on that day, and, in reply, have to inform you that the same have this day been reported to the First Comptroller of the Treasury for his decision thereon.

I am, respectfully,
Your Obedient Servant,
Thos A Hendricks,
Commissioner.

88

# Circular

To Collectors and Surveyors of the Customs — Registers and Receivers of Public Money — Assistant Treasurers — Supervising and Local Inspectors — Officers of the Coast Survey — and Others acting under Authority of the Treasury Department.

—X—

Treasury Department,
December 17, 1858.

Sir: —

The Department finds it necessary to keep a property account, and also an account of all records and documents appertaining to its service in its various branches. For this purpose I have to request you will furnish me a schedule made up to 30th June last — and semiannually thereafter — of all such articles in your possession or under your control, giving: —

1st — The numbers, titles and descriptions in brief of all record books, department circulars, and a general description of all official papers:

2d — All Law and other printed books, Maps, &c.;

3d — A list and description of the articles of property of every kind, namely: — Lands, with the metes and bounds and the cost thereof; buildings, with a description and the cost thereof; vessels, boats, furniture, safes, scales, tubs, gauging instruments, locks, &c.

You will in this schedule annex to each article the time of its purchase so far as known, its cost and its present condition and value. And you will transmit a similar schedule at the end of each succeeding six months, giving the additional articles acquired since the preceding schedule, and the articles worn out or lost during that time.

All such property now on hand, or which may hereafter be purchased or supplied, you will cause as far as possible to be marked or

labelled as "the property of the United States;" and all such articles, as well as records, documents, &c., used in or relating to the public business under your charge are to be carefully and permanently kept and to remain in the Office without regard to any change in its incumbency, and to be transferred to your successor.

The property so to be reported and hereafter to be purchased or furnished will be charged to you; and, on going out of office, you will be expected to account for so much as may have been used, worn out or lost, and to furnish the receipt in duplicate of your successor for the remainder, in order to close your account.

I am, very respectfully,
James Guthrie,
Secretary of the Treasury.

To William Pelham, Esq
U. S. S. G.,
Santa Fé, N. M.

—X—

Schedule of Public Property pertaining to the ——— Office at ——— for the six Months ending the ——— day of ——— 18—.

| No. | Titles. | Description. | Time of Purchase | Cost | Present Value | Present Condition. | Remarks. |
|---|---|---|---|---|---|---|---|
| | | | | | | | |

The above Form is to be followed in making up the Returns.

Treasury Department,
Comptroller's Office,
December 20, 1850.

89 Wm. Pelham, Esq.
Surveyor General of Newmexico,
Santa Fé, Newmexico.

Sir.—

Your accounts as Surveyor General of New Mexico, on account of Surveying the necessary Base, Meridian

Standard Parallels, Township and Section Lines in Newmexico" for the 3d Quarter, 1856, have been adjusted at the Treasury, and a balance of $5,340.69 found to be due by you to the United States, instead of $340.69, the balance stated by you— making a difference of $5,000, which arises as follows, viz:— By charging you with the amount of warrant No. 2,902 of October 17, 1856, which was not issued until after the rendition of your account.....$5,000

Respectfully, yours,
Elisha Whittlesey, Comptroller.

Treasury Department,
Comptroller's Office,
December 20, 1858

To Wm. Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, Newmexico.

Sir:—

Your accounts as Surveyor General of Newmexico on account of "your compensation and that of the clerks employed in your Office," for the 3rd Quarter, 1856, have been adjusted at the Treasury, and a balance of $2,974.12 found to be due by you to the United States, instead of $39.12, the balance claimed by you— making a difference of $2,025.00, which arises as follows:— By charging you with the amount of warrant No. 2,972 of 4th November, 1856, which was not issued until after the rendition of your account.....$3,125.

Respectfully, yours,
Elisha Whittlesey, Comptroller.

Treasury Department,
Comptroller's Office,
December 20, 1858.

To Wm. Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, New Mexico.

Sir:—

Your accounts as Surveyor General of Newmexico, on account of "Office Rent, Fuel and Incidental

Expenses," for the 3rd Quarter, 1857, have been adjusted at the Treasury and a balance of $ 93. 83 found to be due by you to the United States as stated by you.

Respectfully, Yours,
Elisha Whittlesey, Comptroller.

General Landoffice,
January 9, 1858.

92 Sir —

I acknowledge the receipt of your letter of the 30th November last, together with the documents therein specified. Upon inspection of the numbers of the claims of the Pueblos of Zia, Nambé, Sandia and Isleta, and comparison of those numbers with the previously numbered claims, I found that those claims should have borne Nos. 17, 18, 19 & 20 instead of Nos. 14, 15, 16 & 17 respectively; the first three of the latter numbers pertain to the claims of the Pueblos of Tesuque, San Ildefonso and Pojoaque, transmitted with your annual report of the 30th September last and now before the Congress. In view of this apparent error in the numbering of the claims received with your letter of the 30th November last, I have this day caused the Nos. 14, 15, 16 & 17 to be corrected by making an explanation to the effect that the respective claims should have been numbered 17, 18, 19 & 20 — and with this observation I have transmitted them, together with the notice in the case of Francisco Martinez, which was omitted by you to have been enclosed in the package containing papers of claim No. 3 to the Secretary of the Interior, with the request that the same may be submitted to Congress for their action thereupon.

Should the aforementioned correction made in this Office as to the numbering of the claims be well founded, you are requested to make the respective numbers on the claims in your Office to correspond accordingly, and advise this Office upon the subject.

Very respectfully,
Your obedient Servant,
Thos. A. Hendricks,
Commissioner.

Wm. Pelham, Esq.,
Surv. Gen'l. of New Mexico,
Santa Fé, N. Mex.

General Landoffice,
February 10, 1857.

93 Wm. Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, N. M.

Sir:— Your letter of the 31st December last, together with the documents appertaining to the claims Nos 14, 29 & 32 has reached this Office on yesterday and agreeably to your request I have this day submitted them to the Secretary of the Interior with the request that the documents may be laid before both Houses of Congress now in session for their confirmation of the claims above enumerated.

I am, very respectfully, your obt servant,
Thos. A. Hendricks,
Commissioner.

General Landoffice
February 11, 1857.

94 Wm. Pelham, Esq.,
Surveyor General of
New Mexico,
Santa Fé, N. M.

Sir:—

I acknowledge the receipt of your letter of the 31st December last forwarding Plat of the Survey of the Line between Tps 13 & 14 N., Ranges 26, 29, 29 & 30 East and Range Lines in Tps 13 N between Ranges 25 & 26 to 30 & 31 East inclusive - surveyed by John W. Garretson, D.S., under his contract No 3 dated April 3? 1856.

The receipt of the above Plat enables this Office to adjust the account of said J.W. Garretson forwarded with your letter of the 27th August last. Upon examination of the above account it is observed that you have deducted the per centage to be retained for examination in the field from a part only of Mr. Garretson's account.

This course cannot be approved. Mr. Garretson's contract stipulates that 10 per cent shall be reserved "from the whole amount accruing" for surveys executed thereunder.

The whole amount of Mr. Garretson's account was $5,090.45/100, from which has been deducted 10 per cent thereon, viz: $569.04/100. and the further sum of $3,581.50/100, which was paid him by you, per his receipt dated August 25th, 1856, leaving still due him

the sum of $1,529.88/100, for which amount I have requested drafts on New York of $200 each to be sent to him at Santa Fé, New Mexico, of which you will please advise him.

Very respectfully,
Your Obt Servant,
Thos. A. Hendricks,
Commissioner.

General Land Office,
February 12, 1857.

To Wm Pelham, Esq,
Surveyor General,
Santa Fé, N.M.

Sir — I return herewith the contract No 4 entered into with John W. Garretson, D.S., on the 2d December last for the survey of 1,800 miles of Township Boundaries, &c., for the reason that you have failed to write the names of the counties of Mr Garretson in full in the blank portion of his bond intended for that purpose.

It is also observed that the contract stipulates the retention of but <u>two</u> per cent. upon the amount accruing for surveys under the same. As the contract with Mr. Garretson dated 3rd April, 1854 stipulated the retention of 10 per cent., was it not your intention to have retained the same percentage from the contract made the 2d December last? I would remark that in the other surveying districts a percentage proportionate to the per mileage to be paid is retained for examination in the field — and it is desirable that you should adopt the same course.

The foregoing contract was received with your letter of the 30th December, 1856.

Respectfully,
Your obedient Servant,
Thos. A. Hendricks,
Commissioner.

General Land Office,
February 13, 1857.

96 Wm Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, N. M.

Sir — Agreeably to your request of the 31st December last, I have this day requested the Department that a remittance be made to you in order to enable you to pay the expenses of your Office during the Quarter ending the 31st proximo, and also that the balance of the appropriation for Incidental Expenses of your Office may be sent you wherewith to enable you to make your necessary purchases of Stationery, &c., and in accordance with your request that drafts to meet the salary of each Clerk in your Office to be sent on the Assistant Treasury at New York for the reason assigned by you of the improbability to cash drafts in N. Mexico for a large amt. I have to say that in drawing the requisition in your favor for $4,625 I asked that this amount be remitted to you in the following sums, to wit. —

| | | | |
|---|---|---|---|
| 1 | draft for the sum of | | $1,500 |
| 1 | do. | " | 750 |
| 1 | do. | " | 525 |
| 1 | do. | " | 500 |
| 3 | do | " $450 each, or | 1,350 |
| | Making a total of | | $4,625 |

Of which the first sum, or $1,500, is charged against the appropriation for rent of the Surveyor Generals Office, books, Stationery & incidental expenses, and the remainder to the appropriations for compensation of the Surveyor General and the Clerks; to that of Clerks to be apportioned to them according to the exigencies of the public service, & to that for compensation of a Translator, and amounting to $3,125, and to be accounted for by you in your Salary Account.

I am, very respectfully, your obedient Servant,
Thos. A. Hendricks, Commissioner.

Treasury of the United States,
February 17, 1857.

96.a Sir. — Enclosed you will receive Seven Treasury Drafts payable to your order. Please date and sign the accompanying Receipt and return it to this Office by the first mail, and cause the Drafts to be presented for payment without delay.

Very respectfully,
Your obedient Servant,
S. Casey,
Treasurer of the United States.

William Pelham, Esq.,
Surveyor General.

General Landoffice,
February 18, 1857.

97 Sir:—

Referring to the subject matter of my communication to you of the 19th November last, I have now to inform you that the Governor of New Mexico under date of the 29th December, 1856 in acknowledging the receipt of the instructions from the Secretary of State dated the 15th November last respecting affording to you such facilities as would enable you to find a safe deposit for the records of your Office in the fireproof Vaults to be constructed under his supervision, remarks as follows:—

"It will afford me great pleasure to comply with your instructions relative to this matter in every particular, &c."

I am, very respectfully,
Your obt Servant,
Thos A Hendricks,
Commissioner.

Wm Pelham, Esq.,
Surveyor General of Newmexico,
Santa Fé, N. M.

98 Letter enclosing Sketch of Military Reserve at Fort Buchanan N. Mex:

Head Quarters, Dept N. Mexico
Santa Fé, April 15th 1857,

Respectfully referred to the Surveyor General with a request that he will be pleased to take such measures as will insure to the Government the reserve, indicated within, for Military purposes—

By order
W. A. Nichols
Asst. Adjt General

Santa Fé, New Mex:
April 15th 1857,

Sir:

I have the honor to enclose a sketch of the Military reserve of Fort Buchanan N. Mex: which I hope will meet with your approbation.

The reserve commences at a point known as the ojos Calientes or Bonanita Spring about Twelve miles South of the principal peak of the Santa Rita Mt. and extends down the valley for four (4) miles in a southerly direction, North for two (2) miles from the same point, and for three (3) miles on each side of the centre of the same valley & the same centre line prolonged.

Such reserve is necessary for the public uses, on account of water, wood and grass— . . .

At the earliest opportunity the reserve will be accurately surveyed and mapped—

Very Respectfully
Your Obt. Servant
E. Steen
Maj: 1st Dgn.

To
Major W. A. Nichols
Asst Adjt. Genl. U. S. A
(Signed by Lt. Moore.)

General Landoffice,
January 23, 1850

Wm Pelham, Esq.
Surveyor General of Newmexico,
Washington, D.C.

Sir:—

In reply to your letter of the 21st instant requesting the remittance of the sum appropriated to pay the Surveyor General and his clerks and translator for the last half of the fiscal year; also for incidental expenses of your office; I have to say that a requisition in your favor has this day been issued for $7,800. and on the following accounts, viz:—

1.— On account of Salaries, viz.—

| | |
|---|---|
| Your own up to 30th June next | $1,500 |
| Clerks " " | 2,000 |
| Compensation of Clerks to be apportioned | 1,800 |
| " to Translator | 1,000 |
| Total on ac of Salaries | $6,300 |
| 2.— On account of your Office rent, fuel, books, Stationery and incidental expenses up to 30th June next | 1,500 |
| Making an aggregate of | $7,800 |

Respectfully, &c,
Thos. A. Hendricks,
Commissioner.

☞ For letter of Leonardo Orosco of Feby, 1857 see No. 382.

General Landoffice,
February 18, 1857.

100 Sir—

Referring to the subject matter of my communication to you of the 19th November last I have now to inform you that the Governor of New Mexico, under date of the 29th December, 1856, in acknowledging the receipt of the instructions from the Secretary of State dated the 15th November last respecting affording to you such facilities as would enable you to find a safe deposit for the records of your office, in the fireproof Vaults to be constructed under his supervision, remarks as follows.—

"It will afford me great pleasure to comply with your instructions relative to this matter in every particular," &c.

I am, very respectfully,
Your obt. Servant.
Thos. A. Hendricks,
Commissioner

Wm. Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, N. M.

General Landoffice
February 21, 1857.

101 Wm. Pelham, Esq
Surveyor General,
Santa Fé, N. M.

Sir—

I acknowledge the receipt of your several letters of the 31st December last enclosing your "Salary," "Rent" and "Surveying" accounts for the Quarter ending on that day; and in reply have to inform you that I have this day reported your "Rent" and "Salary" accounts to the First Comptroller of the Treasury for his decision thereon.

I have not adjusted your account for "Surveying Standard Lines," &c., for the reason that the plats of survey upon which the account returned as a voucher is based have not been received. So soon as said plats shall have been received the account will be examined, adjusted and reported to the Treasury Department.

Respectfully,
Your obt. Servant,
Thos. A. Hendricks,
Commissioner

Treasury Department,
Comptroller's Office,
March 7th 1857

102 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, New Mexico.

Sir – Your accounts as Surveyor General of New Mexico on account of "Office Rent, Fuel, and Incidental Expenses," for the 4th Quarter, 1856, have been adjusted at the Treasury, and a balance of $1248.61 found to be due by you to the United States instead of $251.39, the balance stated by you – making a difference of $1000 00, which arises as follows, viz:

By charging you with the amount of part Warrant № 3,652 of February 10, 1857, which was not issued until after the rendition of your account.

Respectfully yours,
E Whittlesey,
Comptroller

Treasury Department,
Comptroller's Office,
March 7th 1857

103 William Pelham, Esq.,
Surveyor General of New Mexico,
Santa Fé, New Mexico.

Sir – Your accounts as Surveyor General of New Mexico on account of "your own Compensation and that of the Clerks employed in your Office," for the 4th Quarter, 1856, have been adjusted at the Treasury, and a balance of $3,784.12 found to be due by you to the United States instead of $659.12, the balance stated by you, making a difference of $3,125.00, which arises as follows, viz:–

By charging you with a part of Warrant № 3,652 of February 10, 1857, which was not issued until after the rendition of your accounts for the 4th Quarter of 1856?..... $3,125.00

Respectfully yours,
Elisha Whittlesey,
Comptroller

Cincinnati, April 9, 1857.

104 William Pelham, Esq.,
Surveyor General N. M.,
Santa Fé.

Dear Sir.— Not knowing the requirements of the Law as to registering title papers at your office for lands in Gadsden's Purchase I write you for information. We have bot of Ignatio & Tomas Ortiz of Tubac the ranch on enclosed map of Aribac or La Aribac containing as supposed about 1700 acres. Please let me know if you have any documents at all concerning that Ranch: if so cost of copies and their nature. Our original papers are with Chs. D. Poston, Esq., at Tubac, whom if you will please address may comply with the law if informed what to do. The deed from above two parties to Aribac is for a track of land to their father 1802 confirmed by Jose Maria Mendoza General Land Commissioner of Sonora, according to 11th article 70 decree of Mexico 4th August 1824 registered at Gl. Landoffice Arispe p. 85, 1812. fees $4.99.5. The Alcalde of Tubac, Atanacio Otero, ordered posession of it 2d June 1833. Affidavit says corners of 1802 title good Final title granted by general Land Commissioner 2d July 1833 - sold to us 24th December 1856.

Please state where we should apply to to file our papers if not with you, and also if such a title holds the minerals, referring me to the laws and decisions on those subjects.

Very respectfully,
Edgar Conkling.

General Landoffice,
April 15, 1857.

105 Sir:— In my letter of the 25th of February last I informed you that the settlement of your quarterly account ending 31st December 1856 "for Surveying Standard Lines," &c. had been suspended for the reception of the "Plats upon which the account was based." Those Plats having been received I have this day adjusted your account, which closes the same.

Respectfully, your obt Servant,
Jos. S. Wilson,
Acting Commissioner.

Wm. Pelham, Esq.,
Surveyor General,
Santa Fé,
New Mexico.

General Landoffice,
April 10, 1855.

106 William Pelham, Esq.,
Surveyor General,
Santa Fé, N.M.

Sir ~

In reference to the subject of your letter of the 3rd of March last, I have to say — that that the Treasury Warrants to which your letter refers are drawn on such depositary of the public funds as is designated by yourself, and of course are regarded and you will account for the same as so much specie.

I am very respectfully,
Your obt Servant,
Jos S. Wilson,
Acting Commissioner.

General Landoffice,
April 10, 1855.

107 Sir.

I acknowledge the receipt of your letter of the 3rd March last transmitting Plats, together with the report of A. P. Wilbar, Esq, Examiner of Surveys, and the account of John W. Garretson, Esq, Deputy Surveyor, completing his contract of 3rd April, 1854.

By reference to my letter bearing date 17th February last informing you of the adjustment of Mr G's ap, forwarded with your letter of 2.pth December last, you will discover that the sum of $59.07, being 10 per cent. of the amount of the ap. then sent, was retained for examinations out of Mr. G's ap. The ap transmitted with your letter of 3rd March last, which after correction amounts to the sum of $5,855.89, is subject also to the same reduction of 10 per cent, amounting to $583.58 — making the whole amount retained in this Office for examination of Mr. G's surveys $1,152.62. Before Mr. Garretson's ap transmitted with your letter of the 3rd ult. can be finally adjusted and certified for payment, it will be necessary that you should transmit to this Office a certified ap (per form herewith) of the Examining Deputy Surveyor, the amount of which you will deduct from the whole amount retained, viz: $1,152.62, and forward a supplemental ap for the balance in favor of Mr. Garretson in the form herewith enclosed — on the receipt of which a final payment will be made to Mr. Garretson under his contract of April 3rd 1854.

I have to remark that no diagram for 8 mi. 76 chs 15 lks. of Standard Correction Line, was received with your

letter of the 3rd ultimo, and which you are requested to transmit.

The corrections made in Mr. Garretson's ap. are as follows, viz:-

In item R. line between R. 9 & 10 thro' Tps 13. 14. 15, &c. instead of 35 mi. 78 chs 72 lks, it should be 30 mi. 00 chs. 32 lks. prices $432.05. In item R line between R. 7 & 8 E. thro' Tps. 13. 14 & 15, instead of 18 mi. 00 chs. 00 lks it should be 18 mi. 16 chs. 50 lks. prices $216.97. In item Tp. 13 N R. 2 E. instead of 81 mi. 44 ch 24 lks. it should be 81 mi. 44 ch. 34 lks. prices $978.65- making the total 471 mi. 32 ch. 30 lks, total prices $5,656.85.

The Tp. Plats forwarded by you exhibit. no distances acrop the Rio Colorado: this omission you will supply

The fractions made by the meandered river should be meandered by separate series in each section - for instance Sec. 25 T. 13 N. R. 30 E.

Lot containing 26.19 acres should bear No. 1.
" " 38.24 " " " " 2.
" " 31.30 " " " " 3.
4.88 + 36.59 = 41.47 " " " " 4
38.48 + 7.81 = 46.29 " " " " 5

So as to give each lot fronting the river a due front corresponding to the number of acres, which would not be the case if A. buys 38.48 acres and B. 7.81 acres, the latter would monopolise undue extent of the advantages of the river. You are requested to change your subdivisions so as to conform as near as may be to those exemplified on Diagram B, accompanying "A Manual of Instructions," furnished you by this Office on the 7th September, 1854.

After correcting the Plats you will furnish authenticated diagrams of such parts of the same as will contain the corrections, so that they may be filed here with the defective Plats to that extent.

Very respectfully,
Your obedient Servant,
Jos. S. Wilson,
Acting Commissioner

Wm Pelham, Esq,
Surveyor General,
Santa Fé,
New Mexico.

Treasury Department,
Comptroller's Office,
April 22, 1857.

108 William Pelham, Esq.,
Surveyor General of Newmexico,
Santa Fé, Newmexico

Sir —

Your accounts as Surveyor General of Newmexico on account of "Surveying the necessary Base, Meridian, Standard Parallel, Township and Section Lines in Newmexico" for the 4th Quarter 1856, have been adjusted at the Treasury, and a balance of $ found to be due by you to the United States as stated by you.

Respectfully yours,
Elisha Whittlesey,
Comptroller.

☞ For Letter from Ordnance office of April 24, 1857, see No 383.
Do. April 28, 1857, see No 382

General Landoffice,
May 5, 1857

109 William Pelham, Esq.,
Surveyor General of Newmexico,
Santa Fé, Newmexico

Sir. —

Agreeably to your request of the 31st March 1857, I have this day asked the Hon. Secretary of the Interior that the sum of $3,125 may be remitted to you to enable you to pay the Salary accounts for the Quarter ending on the 30th ultimo; the foregoing amount will be sent to you in six drafts — one for $750, four for $500 each, and one for $375.

I am very respectfully your obt Servant,
Thos. A. Hendricks,
Commissioner

Treasury of the United States, May 9, 1857.

110 Sir. — You will receive enclosed six Treasury Drafts payable to your order. Please date and sign the accompanying receipt and return it to this Office by the first mail, and cause the drafts to be presented for payment without delay.

Very respectfully,
Your obedient Servant,
S. Casey,
Treasurer of the United States.

Wm. Pelham, Surv. Genl, &c.

General Land-office,
May 19, 1857.

111 Wm Pelham, Esq.,
Surveyor General,
Santa Fé, Newmexico

Sir:—

I have to acknowledge the receipt of your two leters of the 31st March last transmitting quarterly account current and vouchers for "Salary of the Surveyor General and Clerks in his Office," and vouchers, &c, for "Incidental Expenses" for Quarter ending March 31, 1857; and in reply have to inform you that I have adjusted the same and reported them to the First Comptroller this day for his decision thereon.

In the adjustment of the account for "Clerks, &c", it is observed that you have allowed Mr Whiting for services as Chief Clerk and Translator at the rate of $2500 per annum for the months of February and March: but, inasmuch as the two different capacities for which the pay has been made are incompatible under the law, I have disallowed the sum of $72.49 on voucher No 1 allowing Mr. Whiting the pay of Chief Clerk only, at the rate of $2100 per annum, amounting for the months of February and March to the sum of $344.17, instead of $416.66, as per your account.

The item in 1st voucher for Translator for the month of January is not correctly calculated, and so of the 2d item, and also of voucher No 5. The rule established by this Office is one of simple proposition, viz:— As the number of days in a quarter is to the Salary per quarter, so is the desired No. of days to the amount.

In the 1st item referred to the following would be the rule or proposition: viz 90 days: 500:: 31 days to the amt due, which would be $172.22, instead of $166.67, as per your account.

This mode of calculation you will please hereafter adopt.

I am, respectfully,
Your obt Servant,
Thos. A. Hendricks,
Commissioner.

General Land Office,
May 21, 1857.

112 Wm. Pelham, Esq.,
Surveyor General of
New Mexico, Santa
Fé, New Mexico.

Sir.-

On the 3rd March last Congress appropriated for the Surveying Service in New Mexico for the fiscal year ending 30th June 1858. the following sums, to wit:

1 "For compensation of the Surveyor General of New Mexico and the Clerks in his office . . . . . $7,000

2 "For compensation of Translator in the Office of the Surveyor General of New Mexico . . . . . 2,000

3 "For the purchase of Spanish and Mexican Lawbooks for the Office of the Surveyor General of New Mexico, required as authorities in the investigation of private land claims . . . . . 500

4 "For rent of the Surveyor General's Office in New Mexico, fuel, books, stationery and other incidental expenses . . . 3,000

5 "For continuing the survey of Base, Meridian, Standard Parallels, Township and Section Lines in New Mexico . . . . 50,000

6 "For compensation of Clerks in the Offices of the Surveyors General - to be apportioned to them according to the exigencies of the public service, and to be employed in transcribing fieldnotes of surveys, for the purpose of preserving them at the Seat of Government $1,000, of which amount the sum of . . . . . 1,000

has been allotted to your Office.

The approved Private Land Claims in New Mexico and transmitted here by you for the purpose of being laid before Congress for their confirmation, not having been ratified by that body during the last session, no appropriations for the survey of those claims have been made, and consequently you will not survey any of those claims until the necessary means are provided for that purpose. and you are instructed on the subject.

The amount of the unexpended appropriation of $30,000 per act of August 18, 1856, together with that of $50,000. per act of March 3rd 1857, is applicable to the payment for such Surveys of the Public Lands in the Territory of New Mexico

and the existing authority from this Office as in your best judgment shall demand earliest attention.

I, am very respectfully,
Your obt Servant,
Thos. A. Hendricks,
Commissioner.

Santa Fé, New Mexico,
May 26, 1857.

113 Sir -

I deem it proper in explanation of my account for $12.93 expenses incurred by me in examining the Surveys of John W. Garretson, Deputy Surveyor, to state, the very small sum charged for expenses was owing to my not having to hire a mule, and that while on duty Deputy Surveyor Garretson furnished my rations and Transportation without any charge from the field of operations, that I was often not charged on the road; most of the time stopping with my acquaintances.

Very respectfully,
Your obt Servant,
A. P. Minor,
Examiner of Surveys

William Pelham, Esq,
Surveyor General.

Surveyor General's Office,
May 26, 1857.

115. Sir, I transmit this article to complete with the instructions of Surveyor Office dated April 29, 1856 with the Plat of Survey No 150 and the Field Notes of 30 miles of Exterior and of the Meridian Line connected with the Mesa Verde, by subdividing the Mate or Township in which you are directed to survey, the Field Notes of the lines of Exterior and Subdivision when completed to be returned to this Office for examination, and the Plat of Survey to be returned to this Office for approval, as soon as the Township is completed, or the Public interest may require.

which arises as follows, viz:-
By charging you with Warrant No. 4191 of 5 May 1857 which was not issued until after the rendition of your account. . . . . $ 6.125.00
To which add the amount of part of V. No 1. which has been disallowed upon having no authority to unite two offices in one at an increased salary. 72.49.
Difference as above $ 3.197.49.

General Land Office
Dec. 18th 1857.

Sir. On the 28th of March last the Secretary of the Interior referred to this office for its consideration the following letter to wit: Letter from Wm. Pickrell to Hon. J. C. Otis bearing date Dec 1. 1856. & letter from Ohio & Watts dated Feb 5. 1857. addressed to Hon. H. J. Harmanson, which letters were filed in the Interior Department by Hon. H. J. Harmanson. The subject of these two letters is in regard to the action in the payment of Deputy Surveyors under the present system and desiring that the mode of the Department to which such payments to Deputy Surveyors are made directly to themselves by drafts on the Treasury may be changed and the practice of paying them by funds furnished to the Surveyor General may be restored.

In reply to these letters, which I deem it proper to address to you, I am to observe that the mode adopted by the Interior Department and communicated to you in my letter of the 14th of March last was made as a safe guard in the disbursements of the public money and I can find no good reason to depart in the letters referred to this

office to induce me to recommend the
Order to be rescinded. Under the provisions
of the Order may be rescinded as provided
by the Act of Congress of the 3d March last
entitled "An Act to Amend an Act entitled
"An Act to provide for the better
Organization of the Treasury and for
the Collection, Safe Keeping, Transfer
and Disbursement of the Public Revenue."

Very Respectfully
Your obt Servt
Chas A Hendricks
Commissioner

Hon. Wm Pelham. Esq.
Surveyor General
Santa Fe N. Mex.

Head Quarters Department
of New Mexico
Santa Fe: May 9. 1856.

Sir: I have the honor respectfully to transmit for the information of Hon. Wm Pelham, Surveyor General, Santa Fe, New Mexico

H. C. Nichols
Asst. Adj. Genl

Copy.

Head Quarters. Dept of N. Mx.
Albuquerque, May 5. 1856.

Special Order
No 57.

Extract

1. Private Augustin St Cyr, 1st Dragoons, will
attach from his Company a detachment consisting
of one Corporal, such orders to proceed without
delay to Mount Dora near Cimarron, and after
Collecting in the vicinity of which he will proceed
to United States Surveyor, for duty, to whom he
will give such protection in the prosecution of
their lawful duties, as may be required by the
said Surveyor.

II. The party will be provisioned for 30 days
forage will be procured from the nearest settlements.

By order of Bvt Brig Genl Garland
H Coutts, A.A.A.G. Dept of N. Mex

Dinah Ville, Feby 2d 1850.

My Dear Sir

I have been for some time in the hope that I should be able to see you in person before my departure from this place for the purpose of making some suggestions to you in reference to the land surveys in this Territory in connection with the route of the Expedition under my charge, Extending a route from the Pacific coast along near the 32nd parallel

As I shall leave here in a few days for the Pecos and have not yet received any directions to proceed I take the following suggestions for your consideration.

The Exploring Expedition under my command will occupy a permanent Camp on the Pecos river near the 32nd parallel for the next three or four months, and must therefore of course be supplied with provisions from the U.S. Stores at the different Military posts in the Territory. The interference of the 32nd parallel with the 100th of Longitude will cause much delay and complete astronomical observations will be made at the Camp and that point will be determined with an accuracy, which under the circumstances will be sufficient for all practical purposes. The Boundary line between the Territory of New Mexico and Texas will be run from the point of intersection of the 32nd parallel with the 100th of Longitude to the Rio Grande, and the Initial point on the Rio Grande will be determined by astronomical observations. The Secretary and Surveyor General will be directed to run the lines of the Public Surveys from the Initial point on the Rio Grande, and will be instruct

Could afford every aid in my power to our
party from land and for the service.

The determination and establishment by
fixed marks of the S. E point of New
Mexico and the faculties which ought be
presented to answer the part assigned for
the purpose by the treaty of Guadalupe Hidalgo
dated in March 1848 I have in-
deemed to believe that you would gratefully
be glad to avail yourself of the opportunity
thus presented and it gives me pleasure to
advise you that it will be an agreeable duty
to me to aid in every possible manner the
objects of any party you may choose to
send out

Mr. Bartlett will send astronomical points which must
be governed between the lines and the Rio Grande
on both sides of every mark to the 32nd
parallel from then short lines should
run to mark between these two lines
many points of the boundary line between
Texas & New Mexico.

These astronomical points which must
not be governed and made with
the other latitude & longitude of each
mark the distance along a North & South
line, in each case to the 32nd parallel.
I cannot fail to believe that much
assistance in your arduous duties will be
afforded by Lieut Whipple and Lieut Parke
who are gentlemen of high attainments
& I trust to your

Santa Fé N.M. June 27. 1853

Lt. Col.

I have the honor to report, that around that part of Fort Union having been erected, and all are occupied by the various officers of that post and, moreover, entirely in, the vicinity of the Reservation, from the commencement of the just therefore, the Line of Pro. Should extend, & which is submitted for consideration as to whether as proposed by Act. Sept.

I then will proceed that the officer on Northern line of the Reserve, should through the Fort Union, & Santa Fe Road distant from the Garrison walls, but not, more than distance (one mile) from the Gate, Union Fort the Quarters, the officers, they are made their occupied, as to, Curing, Fortifications, Pickets, and, when constructed, Forts, being Surrounded out of their property by Fields and, entrenched in, with the public Lands, The Agent, of the Reserve, or Citizen, by more than, one, represented to me. The Great necessity, of an early, division of this Reservation, to, him the his official duties, by, and, immediate to Eastern Settlers, & the public service,

Please to send the signatures of my principal
traders and chiefs to the return
of this letter. Also the Oaths of Office
and the instructions of Principals
relating with them.

I have the honour to be
your obdt. Servt.
J. H. Eaton
Capt. 3rd Regt. Mtd. Mo. Vols.
Acting Dept. Inspr.

Capt. J. H. Eaton Mtd
Mo. Vols. Actg. Insp.
Dept. N. Mex.
Santa Fe. N. Mex.

(Circular)
To the Officers of the Indian Department.

Department of the Interior
Washington City January 23. 1846.

Sir,

A difficulty having arisen in the minds of the officers of the several Superintendencies & Agencies, attached to this Department, respecting their powers & duties under the Treaties with the Indian tribes, & the Laws regulating intercourse with them, & it being necessary that the Indians entrusted to our charge should be informed of their rights, & that we should be informed of their wants, & the manner in which they are fulfilled, it is deemed proper to issue the following instructions for the guidance of the officers of this Department.

The officers of this Department are therefore hereby informed, that their constant attention to their respective duties is expected and required, and that rewards, or punishments will be awarded or inflicted according to merit.

All letters addressed to the Department by officers of the several Superintendencies & Agencies, must be forwarded through the proper channel, that is to say, they must be addressed to the Superintendent of the Superintendency, or Agency, from which the letter originates, & he will forward them with

held, as may be seen from said Journal, but in the usual time, after the Court, and of the Department is received, the official meaning, the application, will be given the proper attention of this official. All papers, made by officers on the ground that the Journal of the Court is not received by the Department in time to be published in the Journal of the Court.

H. McClintock.
Secretary.

William Pelham Esq.
Attorney General
Santa Fe
New Mexico

(Official Seal)
General Land Office
May 17th 1851.

Wm. Pelham Esq.
Santa Fe
New Mexico

Sir, your letter of the 2nd inst. to this office has been received, transmitting the certificate of the Register and Receiver of the Land District of Santa Fe, and the plat and field notes of survey of the claim of Antonio Sandoval, with the Register's and Receiver's opinion thereon, and requesting to be informed whether the Surveyor General's certificate of survey is sufficient to entitle the claimant to a patent.

In reply I have to state that although the certificate of survey is not required by the Act of Congress, yet it is necessary that the claim should be surveyed by the Surveyor General, or his deputy, before a patent can issue, and the certificate of survey is evidence of the fact that the survey has been made, and is sufficient for the purpose of a patent, if the survey is correct. The plat and field notes of survey, however, are not evidence of the correctness of the survey, and must be examined by the Surveyor General, or his deputy, before a patent can issue.

Office Ex. Commissioner, Office of the Ch. Land Office, the Nineteenth day of March 1859.

Sir: Herewith I return Patent No. 5,252. 31 100 acres, issued to [illegible] for the Land at $ 1.25 per acre $ 1,289 69.

Also Patent No. [illegible] for [illegible] acres, making the total of this Tract $ 0.392. 00

Also Patent No. [illegible] for [illegible] acres, making the total of this Tract $ 390. 69.

Leaving the balance due Mine as above $ 1,051. 31.

And respectfully,

Your obt. Servant,

Thos. A. McDaniels

Commissioner

Treasury of the United States,

July 25th 1859.

1st Sir.

Enclosed, you will receive One Treasury Draft, in your favor. Please date and sign the accompanying receipt, and return it to this office by the first mail. And Credit the draft to the proceeds of the Land, without delay.

Very Respectfully,

Your obt. Servant,

J. Casey

Treasurer of the United States.

Gen. Land Office.

# Circular

General Land Office

August 11th 1859.

To

The Circular of the 30th June last, requiring the Registers and Receivers to report the number of Acres of Land, in their respective districts, which had been selected by the States, under the Act of 4th September 1841, and which had been rejected by the Department, and the reasons for such rejection, has been responded to, by a large majority of the Registers and Receivers, but there are still many who have failed to make the required report, and as the Returns are necessary to enable the Department to make the annual report to Congress, it is hoped that the Registers and Receivers who have not yet reported, will do so without delay.

(Signed Hiram)

General Land office
August. 14. 1857.

124 William Pelham Esq.
Surveyor General
Santa Fe. N.M.

Sir. I acknowledge the receipt of your letter of the 30th June and 1st July last, relative to remittances of the funds where with to pay the expenses of your own salary that of the Clerks in your office and the incidental expenses of the district. In reply I have to advise you that on yesterday I drew registrations in your favor for the following Amounts. Viz:

For your own salary for the 3d. Quarter 1857. $750.
" Compensation of Clerks 2500
" Rent of office, fuel books Stationary &c 1500
$4750.00

I requested that the foregoing Warrants may be sent you in drafts on New York of the following Denominations. One draft for $1750. One for $625. Two for $500 each - five for $450. each and one for $225.

On reference to the proposed purchase of Spanish & Mexican books, I regret that I am unable to furnish this office, with a list of such as may be needed by your Surveying Department stating the cost, translated out of each, and whether they can be had by you on New Orleans &c or not where you propose to obtain them? When the receipt of the desired report from you will be duly attended to in the matter.

I am very respectfully
Your obt Servt
Thos Ewing Jr
Commissioner

General Land Office
Aug 15th 1857

125. Sir

In reply to your Communication of the 8th of June last, received here on the 3rd ult. I have to say that in directing the remittances of funds to you upon your requisitions, this office has usually requested the same to be made in Drafts in conformity with your own indication as to the amounts of Drafts and the points at which they are made payable. The loss sustained by you in being obliged to submit to a discount of U.S. Drafts I regret to state cannot be remedied by this office. In view of your representations on the subject I have written to the Secretary of the Interior inviting him to bring the matter to the attention of the Secretary of the Treasury in order to ascertain if some feasible plan cannot be adopted by that Department to encrease the facilities in monetary transaction with the officers & Agents of the Government of Utah Terry ies and relieve them from their present embarrassments in regard to the Treasury Drafts until the U.S. funds shall be transmitted to them to meet their liabilities.

Very Respectfully.
Your Most Obt Servt
Jno A. Macdonell
Chief Clerk

Wm Pitt Kane Esq
Sur Genl
Santa Fe. N.M.

Treasury of the U.S. Aug 18. 1857

126. Sir. Enclosed you will receive Ten Treasury Drafts payable to your order. Please date and sign the accompanying Receipt and return it to this office by the first Mail, and cause the Drafts to be presented for payment without delay.

Wm Gilham
Lt. Corps

Very Respectfully &c.
A. J. Easton
Secretary of the Treasury.

General Land Office
August 15th 1857.

127 Capt. Allen Co.
Quarter Master General
Santa Fe. N.M.

Sir,

I have to acknowledge the receipt of your letter of the 31st ult. transmitting the Quarterly Accounts & Vouchers during the Quarter ending on that day, viz: an Account of Salaries and Rent of Office. Which has been adjusted & the Accounts and Reports sent to the 1st Comptroller of the Treasury for his decision thereon. Returns, the following balances against you, viz:

Fifth Account, $ 4.494.37
Office Fuel Account, 1.030.00

The foregoing Balance of $ 4.494.37 is made of the Balance which was due from you upon the Adjustment of your Account for the 1st Quarter 1857. $ 4.1036.28.
And of the Amount of the Requisition drawn in your favor under date of 31st ult. and Duly Issued by that Office as per your letter of the 15th inst. drawn by you in favor ..... $ 3250.00
$ 7.353.28.

Less the Expenditures made by you and allowed by this office during the Quarter Ending 3rd Quarter Ending 30th June last, viz:

On Acct. of your own Salary $ 150.00
" " Regular Clerk. 1000.00
" " Extra " 1103.36
" " Extra Interpreter 5.55
2258.91.
Leaving a Balance due to me $ 4494.37
The Balance Credited as aforesaid to you out of the following appropriations viz:
1st For Expenditures of Fuel Stationery &c. $ 1.030.

2°. For Compensation of Clerk in his office of Solicitor General to be appointed $ 1750. 00
3°. For Compensation of a Translator 916.50
2978.

$ 4,494 37.

On future your Vouchers for disbursements accompanying your Salary Accounts must specify particular Appropriations to which the Amounts thereof are to be chargeable.

The Balance due from you on the 30th of Sept. next be on the Issue of $ 1500 as appointed to the Amount of the Warrant in favour of which you were advised by my letter of the 14th inst.

On the Issue of your Warrant for No. 2 of Charles Collins for Advertising amounts to $ 466. on the 1st inst. your Principal will be $ 2146.62. it being in that payment you are expected in future to support Vouchers for Advertisements with Copies of the same, which you may attach to those Vouchers.

I am Sir, Your obt. Servt.
Thos. McKenzie
Comptroller

J. Cleveland Esquire Deputy Auditor General

Copy of Statement of Difference in the Salary Acct for the 2nd Qr. 1837.

Copy.

No. 3.

Statement of Difference to account for Pension Salary Allowance Office Keepers &c. &c. dated Augt 14th 1837 for the Salary of Wm. Dickinson Late Gaoler & Clerk of the Peace for the 2nd Qr.

A.

Balance due to the United States

per L.A. Report dated $ 4,494.37

" " for W.C. Returns 9.05.23

Catalog of Letters against the Gov. for $3519.14

Final Adjusted.

By the Treasury General Additional to the Estimates and the U.S. for the Quarter Ending 31st. March 1807, the Sum of $689.12 cents

& the Interest Amounting $ 206.07

Amounting in the Whole $ 895.19

in Specie Funds, with the Amount of Interest on 4769 Dollars from Aug. 1st 1804 $ 382.08

which Sum, not exceeding the Estimate

the Secretary of the Treasury is authorized to draw for 1.00

Also " " 6 " 12

This Appropriation for the above Object

$ 895.19

Treasury Department
Register's Office
March 22d 1807

Sir

I have the Honor to transmit herewith, Duplicates of Warrants, this Day drawn on the Treasurer of the United States, in favor of the Governor of Georgia, for the Sum of $ 1,000 to be by him applied to the Purposes mentioned in the Act of Congress, entitled "An Act in addition to the Act, entitled "An Act to prohibit the importation of certain Slaves into any Port or Place within the Jurisdiction of the United States, from and after the first day of January in the Year of our Lord one thousand eight hundred and seven."

I am, Sir, with the greatest Respect, Your most obedient Servant

Gideon Granger

His Excellency
Governor Milledge
Georgia

# Treasury Department

Washington, [illegible]

129 [illegible] Sir: [illegible]

[illegible] allowed by the Secretary of the Treasury [illegible] Act of [illegible] that for the service ending [illegible] Appropriated [illegible] Act of [illegible] [illegible] Appropriated [illegible] Act of [illegible] [illegible] Appropriated [illegible] Act of [illegible]

[illegible] [illegible] [illegible] [

whenever the necessary authority for
creating a Depot shall be given by Congress
shall be given by Congress, by which both
parties may be fully protected at
the same time the Government
may be enabled to afford the
Citizens the necessary facilities
for

Letters

Copy Respectfully Furnished
Geo. Ord
Chief Clerk
Signed. Horace Cort
Secretary of the Treasury

Hon Robt J. Walker
Secretary of Interior

General Land office
Oct. 13th 1846.

Sir

I have to acknowledge the receipt of your letter of the 12th inst. transmitting Contract & Bond entered into with John M. Garretson Esq. in the Execution of the Survey directed in the Surveys in that portion of Country known as the Walla Walla &c.

For the reasons assigned in your letter forwarding the Contract & your own Recognizance, and with the sanction of this office, I have to inform you that the same is approved and

Very Respectfully
Your obt. Servt.
Geo. W. Miller
Acting Commissioner

Wm. Pelham Esq.
Surveyor General
Santa Fe. N. M.

General Land office
Oct. 15th 1846.

Sir

I have to acknowledge the receipt of your letter of the 8th inst. transmitting the Depositions of your Assistant Deputy Surveyors for the Survey of Public Lands in New Mexico for the present year, and to inform you that the same are approved

Very Respectfully
Your obt. Servt.
G. W. Miller
Acting Commissioner

Wm. Pelham Esq.
Surveyor General
Santa Fe. N. M.

General Land Office
Washington July 1st 1857.

1857. July 1st

Your communication of the 25th ultimo
has been received. I have carefully
noted the contents of the Enclosures that the
Patents issued, may be transmitted to you
at Santa Fe N.M. in duplicate Countersigned
by the Acting Secretary of the U.S. for New Mexico
(viz) One Patent for 1 Private Claim $ 307.00
" " " 525.00
One " " " 450. each 900.00
One " " " 175.00
Total. $ 3207.00

Your very Respectfully
Your Obt Servt
O. H. Hendricks.
Commissioner

Hon. William Carr
Surveyor Gen. of New Mexico
Santa Fe. N.M.

Treasury of the United States.
Register's Office July 14th 1857.

1857. July

Enclosed you will receive Patent No
One Hundred and Seventy five to
Vicente Ortiz for 175 acres of land
and acknowledge the receipt
and return it to this office by the first mail
after the date of the Certificate for
Registered without delay.

I am respectfully
Your Obt Servt
J. Casey
Treasurer of the U.S.

(Wm Pelham)
Surveyor
Santa Fe, N.M.

Senate Chamber
Dec. 5th 1853

Gen. Adams, Esqr.
Surveyor General
Santa Fe, N. M.

Sir,

I have the pleasure to your letter of the 12th ultimo which reached this office on Saturday last, to inform you that I have this day made a requisition in favor of your office for the sum of Eighteen Hundred Dollars pursuant to the appropriation of $3.000 for the year ending 31st March last "for Rent of the Surveyor Generals offices in New Mexico, Fuel, Stationary, and other incidental expenses" agreeably to your request I have also estimated for the Deficiency that the above sum may be increased to you, viz Twelve hundred $ for rent and the additional Ten Dollars per month for fuel, stationary &c.

I have duly noted the contents of the accompanying letter, viz:

1. From Chief Justice Benjamin Pitt, &c. Letter of 9th September last, enclosing his Vouchers, marked from 1 to 7 inclusive.

2. From Levi Keithsdale, Esqr. Letter of same date, enclosing his vouchers marked from 1 to 4 inclusive.

3. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Santa Fe, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100 and also his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Rio Arriba, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

4. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Taos, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

5. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Santa Fe, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

6. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Santa Ana, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

7. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Valencia, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

8. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Bernalillo, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

9. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Socorro, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

10. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Doña Ana, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

11. Letter of Hon. Antonio Ortiz, dated Santa Fe, 10th September last, enclosing his account for services as Interpreter to the Supreme Court, and to the District Court of the First Judicial District, and to the Probate Court of the County of Rio Abajo, from the 1st day of January to the 31st day of December 1853, inclusive, amounting to $ 150 00/100.

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[illegible] acknowledging the receipt of your letter of the 19th October last, transmitting three quarterly returns of the Civil Establishment under the Government of Spain.

Mr. Pemberton
Surveyor Genl.

Genl. Land Office
8th November 1837.

137 Sir

Upon examining Report dated Septr. 30. 1835 under the heads of "Grants" you stated that "the Grants made by the Government of Spain to the Pueblo of Villa de Santa Cruz de" had been fully examined and approved by you - but your Endorsement Report do not show that the Grants have been forwarded by you nor that the papers relating to them have been transmitted here. On the final return by Mr. Wright dated Sept. 30 1836 you transmitted 13 Pueblo Claims referred to you and numbered from 4 to 16. but unaccompanied with your letter of Nov. 30. 1836 were received here referred by you Claims of 4 additional Pueblos recorded from 14 to 17. with numbers of Grants annexed to them, but no Grants were received by you. Examining the

You have examined, numbering the

130

Ad Quantities, given Accounts stated
following, viz

Lieut. Geo. Talbot due the U. S. $ 4.166.00
Pvt. Geo. " " " " " 1.995.42

Am. Express Co.
Gen. Del.
Santa Fe. N.M.

Santa Fe. N.M.
November 8th 1851.

Genl. Wm. Pelham
Asst. Genl. New Mexico

Sir

Since entering into Contract to survey
a portion of the Public lands near
Agua Negra I have received the
following information in regard to the
Indian depredations in this section
of the Country
Mr Peter Alvord recently Mayor
Domo for Maj. Gen. Sibley & Staff
at that place informed me that there
had been scarcely a week during the
time he stayed up lived there, that
they were not troubled with bands
of Indians on their way to the Rio
Abajo as they said, to steal, not one
of which left without doing more
or less mischief, killing their cattle
or sheep, and very often both. That
last month a band of Comanches pass-
ed the Ranche on their way to the Rio
Abajo, as they said, and killed sixty
sheep. About June since, they return
ed having stolen sixty or more animals
from Abiquiu, and struck at the Bros
from a sheep herd close by. That on
the 16th inst. twenty two Navajos came
to the Ranche and killed one ox, one
milch cow & calf & eight sheep, and went
in the direction of the Rio Abajo, as they
said, to steal & said they would be

weeks in a few weeks with the [illegible] of
fresh plenty of meat to be furnished them
Sam. Did. Under these circumstances
I do not think it would be safe, or
that it would be proper for me to
expose my party in that section of
the Country without an Escort or
view of Our Escort I would suggest
that troops might be placed somewhere
in that neighborhood, west to prevent
these Marauding bands of Indians
from depredating on the peaceable
inhabitants

Most Respectfully
Your obt. Servant
R. E. Clements,
Deputy Surveyor.

Treasury Department
Comptrollers Office
December 2nd 1857.

141 Hon. Gilpin. Esq.
Surveyor General of New Mexico
Santa Fe New Mexico

Sir —

Your Accounts as Surveyor General of New Mexico an Account of your own Compensations and that of the Clerks employed in your office, for the 3rd Quarter 1857, have been adjusted at the Treasury and a balance of $ 4,140.00 found to be due by you to the United States pursuant to Act of 8th Sept. 37, the balance stated by you making a difference of $ 3,267.63 which is due as follows, viz

To Cash paid your warrant No 503 dated 23 Nov. 1857 which was not given until after the rendition of your Account ..... $ 3,250.00

To which add the amount of over payment on Voucher No 7. ..... 1.63

Difference in Account $ 3251.63

Respectfully yours
[illegible]
Comptroller

132

Treasury Department
Comptroller's Office
Decbr. 10th 1857.

1421 Wm. Gilpin Esqr.
Surveyor General's Office New Mexico
Santa Fe, New Mexico

Sir

I have the honor to transmit herewith Abstracts and Vouchers for Office rent, Fuel and Incidentals Expenditures for the 3rd Quarter 1857. Have been Adjusted at the Treasury and a balance of $1,995.47 found to be due by you to the United States instead of $429.68 the balance stated by you, making a difference of $1,565.79, which abides as follows.

By Charges, you will see the amount of Warrants No. 5392, dated November 18 1856, credited, was not received until after the settlement of your Account $1,500.00
To which add, the Amount not allowed in Voucher No. 8. 65.79
Difference as above $1565.79

Respectfully Your
Obt. Servt.
J. Pickell
Comptroller.

H. Carl Luitenl. Corps of N. Mexico
Santa Fe December 6 1857

143 Special Order No 136,

One Battalion and two Companies, five Mounted men, will be detailed and held in readiness from Fort Union and Stanton to take part in the former detail at Hatch the latter at Bleaks Ranche, until further orders. The object to be attained is driving off parties operating near the latter Ranche, and to keep Apaches and other Indians from the settlements

By Order of Brig Genl Garland
W. A. Nichols
Capt. Asst. Adjt. General

(Surveyor General's Office)

Santa Fe, New Mexico
December 10th. 1857.

144 Wm. Pelham Esq.
Surveyor General,

Sir— In obedience to your orders of 30th October last, I repaired to the Camp of Deputy Surveyor Kelly for the purpose of inspecting his Surveys, & found Mr Kelley running Meridian lines between the Gila River and 1st. Cimarron Cone North.

In reading over the lines run by Mr. Kelley, I had to state that I observed that his work was done in strict accordance with the General instructions to Deputy Surveyors and while with him observed his care and attention to all the minutia relative to a faithful Survey.

The instrument in use by Mr Kelley is a Gurts Solar Compass, the working of which in all its parts he managed in person and with great ease.

I have the honor to be with high respect
Your Obt Servant
A. G. Wilbur
Examiner of Surveys,

Official Seal
Office Surveyor Genl. N.M. 1857.

145. Wm. Pelham Esq.
Surveyor General
Santa Fe, N.M.

Sir,

I have the honor to report that I have attended the annual Land Office & Deputy Surveyors Meeting held in this City, and I am satisfied from information received that the Surveys of the Interior have been regularly returned to the Surveyor Genl's Office with the exception of the Surveys under the Instructions of the Surveyor Genl. dated 1st. May 1857, which are not yet returned.

I am Sir
Your obt. Servt.
Geo. H. McCandless
Deputy Surveyor

General Land Office
October 22nd 1857.

146. Wm. Pelham esq.
Surveyor Gen. of N.M.
Sir

Your letter of the 4th ult. has been received, & the documents connected therewith of the subdivisions of fractional Townships 18 North, Ranges 27, 28, 29 & 30 East, which were suspended & not transmitted for approval, previously sent.

Very Respectfully
Your Obt. Servt.
Jno. A. Kendrick
Commissioner.

General Land Office
December 22nd 1857.

147. Wm. Pelham esq.
U.S. Surveyor General,
Santa Fe. N.M.

Sir I have to acknowledge the receipt of your letter of the 3rd inst. and in reply, that you are authorized to maintain a watch dog for guarding the records of your office at the public expense, if necessary.

Very respy
Your Obt. Servt.
Jno. A. Kendrick
Commissioner.

General Land office
January 2nd 1858.

148. Sir, I have to acknowledge the receipt of your letter of 27th November last, transmitting Contract No. 6 with W.E. Clements and 1st & 2nd with R.P. Kelly, deputy Surveyor.

In your letter, the contract of Mr. Kelly is described, as being North of the Base line, and in the Contract, namely in the valley of the Rio Grande and not designated as lying North of said Base line, either East or West.

of the Principal meridian, of this your attention is requested.

Very Respectfully
Your obt Servant
J. A. Hendricks
Commissioner

Wm Pelham Esq
Surveyor General
Santa Fe. N.M.

General Land Office
January 28th 1858

Wm Pelham S.G.
Santa Fe. N.M.
Sir

149 Your letter of the 14th Decbr last has been received, transmitting the field notes, plat and account of the Surveys of one Hundred and seven miles twenty four chains and forty links of Exterior lines in the valley of the Rio Grande, New Mexico by R.D. Kelly D.S. under his Contract No 7. dated Octor 5th 1857. instead of October 3rd as stated in the account.

Mr Kelly's acct has this day been adjusted and reported for payment with a request, that a draft in his favor for $1,262,78c may be sent to his address at Philadelphia Pennsylvania to the care of Mefsrs Williamson Taylor & Co as per request by Mr. Kelley dated Novbr 22nd 1857 of which you will please advise him.

Mr Fitzpatrick's acct for examinations in the field of the above surveys made by Mr. Kelley has also been adjusted and reported for payment with a request that his draft for $32,40 may be sent to him at Santa Fe N.M.

Very respectfully
J. A. Hendricks
Commissioner

Santa Fe New Mexico
January 26th 1858.

154. Sir.

I have received with Genl Instructions from Genl Beall, date Oct 6th 1857, directing me to examine the Survey executed by Wm McGarrahan Esq Dept Sur: under his Contract dated December 12. 1856. I accompanied Col Garretson during the prosecution of his Survey from the Corner to T. 18 & 19 S. R. 11 & 12 W. Through nearly all his work, terminating on the first Corner which I satisfied, that the work has been well and faithfully executed

The mode of establishing the different Corners when made of mounds of earth differs from the ordinary practice (I am told) Instructions, the Plat the field Notes & Survey on lines and the number & kind of trees marked as Witness Trees & Corners are duly entered in the Field Notes & Survey required. This method would I think be regarded as a decided improvement & would save much time & afford data whereby a Contest between Claimants might easily be settled when the Survey was made

(Very Respectfully Your Obt Servt
Edward Fitzg Beale
Surveyor Genl
New Mexico)

Hon Jno Thompson Esq
Commr Genl Land Office
Washington City

Treasury Dept. U.S.
Feby. 11th 1858

151. Sir. Enclosed you will receive Seven Treasury Drafts, payable to your order, Please date and sign the accompanying receipts and return it to this office by the first mail, and the Drafts will be forwarded for payment, without delay

Very respectfully
Your obt. Svt.
S. Casey
Treasurer of the U. S.

William Gilham,
Esq. Chf.

Land Department, Illinois C. R.R. Co
Chicago office
Chicago March 1. 1858

152. Sir, Upon Settlement, the Surveyor Genl. of Illinois is allowed the Clerk Hire of two Draughtsmen, at the Rate of Four Hundred Dollars per annum each, and the Draughtsmen employed in the Surveyor Genl's Office, are allowed Eight Dollars per day, when employed in the field, and Four Dollars per day when employed in the Office, and the Surveyor Genl. is allowed Ten Dollars per day, when in the field, and Five Dollars per day when in the Office. Contingent expenses, such as Stationery, Postage, Freight &c. are allowed to the Surveyor Genl. to the amount of Two Hundred Dollars per annum.

Chainmen are allowed Two Dollars per day, when employed in the field, and Axemen Two Dollars per day when employed in the field, and One Dollar per day when employed in the Office. Contingent expenses,

Each Draughtsman employed in the Surveyor Genl's Office is allowed Two Dollars per day,

the influence of my deceased brother Gov^r Charles Hall of Ills. Estate, is entitled. & also told, to one fourth of each of them.

Some decisions of Tribunals may be necessary to ascertain what Grants ought to be confirmed by the U.S. Government & to whom of my brothers their interest in them, should.

I shall pay no other mod. Governor of the Territory, Among the over Col. Mitchell of St Louis. & the Widow of the Army. Should the Office of the Recorder to of Florida, prove the event of selling such the Grants, the Office should be sent to the Project. — Those Grants have been confirmed by the U.S. Government & to be settled of my brothers their interest in them, handed.

I shall pay no other mod. Governor of the Territory, Among the over Col. Mitchell of St Louis. & the Widow of the Army. Should the Office of the Recorder to of Florida, prove the event of selling such the Grants, the Office should be sent to the Project. — Those Grants have been confirmed by the U.S. Government & to be settled of my brothers their interest in them, handed all my efforts to get others have been unavailing I am glad to give my opinion as to the Grants & to give me any information as to the Commissioners of the Grants whether any such Commissioners were ever appointed with L.C. &c. or inquire me as I have I shall proceed to obtain Copies of the Records you will Transfer a great many

Your most ob^t Serv^t
Silas Dent

Surveyor Genl Office
Florida. 4th Oct 1833.

Sir, I have to acknowledge the receipt of your communication of the 22d ult relative to the Records transferred by you of Commissioners appointed to ascertain Private Land Claims & Grants &c. to the Records now with the Clerk of the District Court of the United States for this District & to request that you will cause to be transferred to this Office all Records of Grants & Orders of Survey & Plats of Surveys in your possession, which have been returned to the Register & Receiver of the Land Office at St Augustine, or which may hereafter be returned to them by Persons claiming Lands in this District under Grants of Spanish

Clause No. 10 of Instructions of Sept. 6th 1854 not attended to in your Schedule and it is necessary to be informed of the particular designation intended to be given to it by you. The former Schedule forwarded by you and the plats in this office have been made to conform to the Schedules forwarded by your letter of the 28th of January last according to your request.

Very Respectfully
Your obt. Servt
O. F. A. Hendricks
Examiner

Jno. Gilham Esqr.
Surveyor Genl.
Santa Fe N. M.

Santa Fe, New Mexico
March 9. 1858.

154. Sir.

I have the honor to report to you that I have examined the lines run by B E Clements, Deputy Surveyor in this Territory under his contract, dated 2 November 21. 1857 and find them in accordance with the Laws of the United States

The Quarter Sections and Sections corners have been placed as the Laws directs and to my belief and knowledge the work has been done in conformity with the instructions of the Surveyor General.

I have respectfully
Your obt. Servt
Examiner of Surveys

Upon Petition
Surveyor Genl.

General Land Office
March 10th 1905.

155. Wm. M. Pearce, Esq., Sur. Gen.
Santa Fé, New Mexico
Sir,

Your letter of 27th Jany, transmitting Abstract of Contract of Gottlieb W. Garrett and Deputy Surveyor for the Survey of Standard Connection lines and exterior townships and subdivision lines in New Mexico and the plats and notes of the original field notes of said Survey with the report and Account of Lot P. Wilbur, Examiner of Surveys, came to hand in due time. I have to inform you in reply, that the accounts of said Contractor & Wilbur have this day been reported for payment, with a request that a draft in their favor for the amounts of said accounts after same may be ascertained, as they represent, be transferred the length of the standard lines of Timotheal Township 18 S., R 9 W. the field to the account of Contractor for the same, and plats and notes of said Survey, and the Examiner's account for $1173.60 for said work, and the Contractor's account for $3000.00 for said work, to the said Surveyor General at Santa Fé, New Mexico, and the Examiner's account for $1149.84 to the Surveyor General at Santa Fé

Very respectfully
Your obt. Servt.
W. A. Richards
Commissioner.

General Land Office
Austin, March 13th 1858

156 Wm. G. Cook & Simeon Hart
Santa Fe Texas Prefect

Sir,

You are hereby required to give notice that on the first Saturday in January next the Commissioners appointed to locate the Public Buildings in the Valley of the Rio Grande to be embodied & have the Capitol & Executive Offices of the State erected thereon, will be authorized to have surveys made of such tracts of land as may be selected by the Agents of the Texas Land Company, & to have the same patented to them.

Yours respectfully,
Geo. W. Smyth
Commissioner

General Land office
Austin, March 16th 1858,

157 Sir,

The accompanying from Wm. Cook Esq. Surveyor Bexar Land District addressed to you, was left at this office during your absence from home, & I have to request that you will cause the necessary steps to be taken to have the Land therein described surveyed & returned to this office.

The Surveyor General is also requested to

with a view to cover these expenses, incurred by the Surveyor General over and above the appropriations of 3d March 1857 & have caused to be inserted in the ensuing estimates for New Mexico for the fiscal year ending 30th June 1859. The following items

" 6. For surveying such of the private Land claims in New Mexico as shall have been confirmed by Congress including expenses incurred by the Surveyor General in adjudicating the same, $15,000

A part of the sum of $15,000 it is believed can be applied to the payment of the expenses surveys which no provision has been made by former appropriations and will cover the same, and therefore it will not be necessary to include in the deficiency Bill reported at the present Congress any item providing for these expenses.

I have the honor to be very respectfully
your obt. Servt.
Jno. A. Wendrich
Commissioner

Hon. M. H. Otero
H. Representatives
Washington D.C.

General Land Office
March 26th 1858.

Wm. Selkirk Esq. Ald. Santa Fe
Santa Fe, New Mexico

Sir,

Your letter of the 18th of January last has been received & transmitted to me with the field notes and approved plat of the Survey of the exterior Boundaries of Townships 5, 6, 7 & 8 North of Rge 1, 2 & 3 and part of the 4th East of the N. Mex. in the Territory of New Mexico, together with the Abstract of Robert P. Ketchum U.S. Surveyor

the above Surveys ... under his Contract of May
Dated October 5th 1857
Mr Kelley's Office has this day been Referred
back for the Signature of Register & Receiver that a
draft in his favour for $1,153.40, may be
sent to him at Philadelphia, Pa. Cattle
care of Messrs Williamson Taylor & Co
as per his Agent.

I am respectfully
Your obt Servt
To the Secretary
Commissioner

General Land Office
March 11th 1858

159, Sir.

By a recent decision of this office, no
allowance of Deputy Surveyor's charges can be
added to the Contract price of Surveys
executed under Instructions
until the Bond of the
Deputy is filed in this office in double
the Amount of the estimated value of
the work to be performed, You are
therefore required to conform to this
decision

Very respectfully
Your obt Servt
To the Secretary
Commissioner

Wm Pelham Esq
Surveyor General
Santa Fe. New Mexico

General Land office
March 11th 1858

Wm Pelham Esq Surv. Genl
Santa Fe. New Mexico

Sir, I have to acknowledge the early receipt
of the various Returns of Surveys executed by
you in the months of August & September last,
in relation to
Returning the Expenditures of the Surveying Parties employed
under your Contract dated the 5th of June 1857, and
to request the Signatures of your Chief Deputies
to the Oaths of Office in the Annexed

in your District and marked thereon
connected to be prepared and mailed
in time to be received here at a period
not later than the 15th of September next
and also enforced by proper Surveyors
and offices estimates for the fiscal year
ending June 30th 1866.

2.do Your next Annual Report in full ac-
companied by the necessary documents and
illustrative maps or diagrams and com-
prising a copy of the estimates, must be
mailed in time to reach this office by the
15th of October next. Such report and
all its accompanying documents and maps
or diagrams must exhibit the surveys
executed and in process of execution and
also those contemplated to be performed
during the fiscal year above mentio-
ned. Diagrams of this character are
expected to accompany your Agricultural
as well as the full Annual Report, and
must mark out and show the distinc-
tive characteristics, the prevailing forma-
tion and extent of the field where the
work has been executed, also the
localities which will be the field of
actual operations under the ensu-
ing estimates to be obtained for an account
of the year ending 30th June 1866.
Your must also accompany such diagra-
ms with a statement of the roads and ca-
nals during necessary and proper the dis-
tricts in the particular directions con-
templated, such as the points of
termination of settlements there, value
of the lands for agricultural or other
purposes, including the sources of
your knowledge) whether from per-so-
nal observation, or from other sources
of data,

3rd. The Agricultural returns, and reports
respectively, should be made out on
Official Letter of the largest Cap. Size), in
separate sheets with a sufficient mar-

Journal Sheets & Envelopes of each being stitched together in your office at the Ends written by the Judge, and the reports and accounts, changing papers are to be written on every other Page only and must be prepared and Summaries in triplicate, You Commencing your estimate for Office of Sheriffs, You must be careful to give the name Salary and particular duties of each Clerk and every other person employed in your office, immediately descending his Seniority and the Necessity for the Service, You must be particular that the Organic Act of your District gives the Amount annually Appropriated for regular Clerks for the regular Service of your office and their Compensation must be separately estimated for and said Estimates appropriations Should be Certificates Showing the necessity for such assistance

You in order to enable the Department to have Exact information of the Beginning Liabilities of your District at the end of each Quarter, should make out, which is required to be done at the Office the Quarters and Entered into by each Deputy before he Commenced his months, Let the Quarter and Sum be Certified, Signed by a Brief Synopsis of their Letter Sent, Fresh Sureties are made, under the Same Terms, Provided by Contract, the Same

Rule must be observed and a copy of the instructions, and bound pi dould the estimated value of the work to be done transmitted to me at once

In order to endure timely compliance with these requirements it is recommended that you announce the Appointment immediately on receipt hereof making full use of necessary additions from time to time up to the date of mailing the Government and admitting modifications that may be necessary to facilitate the prudent discharge of the important duties of this office,

You will report any suggestions which in your judgment will give greater efficiency to the System and endure economy in the public Service. Nothing else in all your instructions to assist for nothing not imperatively required by the public necessities

Very respectfully
Your Obt. Servants.
W. A. Hendrick
Surveyor Gen.

Santa Fe, New Mexico
April 7th 1858.

161 Sir

Having been instructed by you to examine the Survey made by John W Garretson Deputy Surveyor in the Valles Grant, & proceeded to perform the service) about the 10th of September last, I found Deputy Surveyor Garretson with his party engaged in the prosecution of this work)

I have to report that his lines were carefully measured, the corners permanently established and made of stone also bearing trees taken and properly marked & where timber was found

1

Gentlemen,

I have received Warrants Nos. [illegible] in favor of the Surveyors of New Mexico, for their services during the year 1857, and have caused the same to be duly registered in this office.

Very Respectfully
Your obt. Servt.
A. B. Gilbert
Inspector of Surveys

Wm. Pelham Esq.,
Surveyor General of N. Mex.co

Treasury Department,
Comptroller's Office
April 8. 1858

162 Wm. Pelham Esq.
Surv. Genl. of New Mexico,

Sir,

Your accounts as Surveyor General of New Mexico an account of Salary and Compensation and that of the Clerks of your office for the 4th Quarter 1857 have been adjusted at the Treasury and a Balance of $ 88.97 found to be due by you to the United States stated at $ 0.00. By the Balance stated by you, making a difference of $ 3261.63. which Errors are fully allowed, viz:

By charging the Surveyor Gen. with the Amt of Warrant No. 5866, dated 6th Feby 1858 which was not issued until after the Rendition of your account $ 3,250.00

" Your not declaring the Amt of over payments in Voucher No. 5, 30th Sept. 1857, " 1.63

" which are the Amt of overpayment on Voucher No. 6. 4th Sept. 1857, 4.89

Amt Carried over $ 3256.52

Amt rec'd from Treasury $ 3256.52
Also the Amt of Quarterages in Quarterly
Acct for 4th Quarter 1857.
$ 3256.52

Chief Clerk

General Land Office
April 9th 1858.

Hon Jno Thorn Esq
Surveyor General
Santa Fe N. Mex.

Sir,

Your letter, (Chief Clerks) dated June 8th 1857 (enclosing Surveyors Quarterly Accounts for the 4th Quarter of 1857.

These Accounts have been adjusted and referred to the First Auditor of the Treasury for his decision thereon, your letter of the 8th of January has also been received explaining certain discrepancies and requesting additional instructions relative to the Surveys executed by Deputy Surveyor Wm. Austin in the Territory of New Mexico during the 4th Quarter of 1857, that explanation has been duly considered and the Accounts passed to the credit of the Surveyor General for the amount of $ 3256.52 the balance due on the Accounts as stated in the Certificate of the Auditor and referred to your credit.

In the case of the Surveys executed by Deputy Surveyor Austin during the 4th Quarter of 1857, the Auditor has disallowed the charges for Mileage, Ferriage, Pasturage, Provisions, Forage, Hire of Interpreters, Guides, Extra Assistants, Extra Chainmen, Extra Axemen, Extra Flagmen, Extra Cooks, Extra Teamsters, Extra Herders, Extra Blacksmith, Extra Wagon, Extra Horses, Extra Mules, Extra Carts, Extra Oxen, Extra Harness, Extra Saddles, Extra Bridles, Extra Packs, Extra Ropes, Extra Tents, Extra Camp Equipage, Extra Medicines, Extra Compasses, Extra Chains, Extra Flags, Extra Poles, Extra Pins, Extra Stakes, Extra Axes, Extra Hatchets, Extra Picketing, Extra Hobbles, Extra Corrals, Extra Fodder, Extra Grain, Extra Straw, Extra Hay, Extra Barley, Extra Oats, Extra Corn, Extra Wheat, Extra Flour, Extra Meal, Extra Bacon, Extra Beans, Extra Rice, Extra Coffee, Extra Sugar, Extra Salt, Extra Pepper, Extra Vinegar, Extra Molasses, Extra Candles, Extra Soap, Extra Tobacco, Extra Whiskey, Extra Brandy, Extra Wine, Extra Beer, Extra Ale, Extra Porter, Extra Cider, Extra Perry, Extra Champagne, Extra Claret, Extra Burgundy, Extra Madeira, Extra Sherry, Extra Port, Extra Malaga, Extra Tenerife, Extra Lisbon, Extra Sauterne, Extra Hock, Extra Moselle, Extra Rhine, Extra Cognac, Extra Rum, Extra Gin

instructions of 6th May 1858 being the Rule now in Schedules and Returns and more fully expressed to read the number of days in the Quarter & to the Date Month Year & also the number of days in the fractional Quarter & to the Amount of the Voucher. These instructions imply that Salaries are to be estimated by the Quarter, and your Abstract that the 3rd Quarter of 1858 has but 91 days in it and Sept. 30 making the whole Number of days in the Quarter 92. Please take the

Nos 92, 482, 15, 73, 37. The Cheque Amount due Mr Winks on Voucher No 1, bearing the date 1st Jan. ult to Item No 1, 63, as stated in my letter of the 28th Nov. last

The Same mistake has been made by Examiner Voucher No 4 Item 1, of Salary Office, for the 4th Quarter of 1858 Mr Oct 31 days Nov 30 & Dec 31, the Date & the Number of days in the Quarter 92. The total Amount due Mr Smith Voucher No 6 is £20.11 Deduct the Overpayment to Item No 2 £4.89, The Cheque Amount due Mr Winks Voucher No 7 is £22.8, Deduct the Overpayment to Item No £5.11, The Total Cheque Amount from this Voucher £17.9, Mr Smith's Cheque for £20.11 Mr Winks £17.9, Mr Smith's Voucher No 6 is £20.11, Deduct the Overpayment to Item No 2 £4.89, Mr Winks Voucher No 7 is £22.8, Deduct the Overpayment to Item No £5.11, The Total Cheque Amount from this Voucher £17.9, Mr Smith's Cheque for £20.11 Mr Winks £17.9, Mr Smith's Voucher No 6 is £20.11, Deduct the Overpayment to Item No 2 £4.89, The Cheque Amount due

150

By the calculation under the rule this excess is avoided, Mr Smith receives $ 920.11 and Mr McVinney $ 229.89. together making the true Salary for the Quarter of $ 450.

Your Ofc as adjusted stands thus
Salary Ofc. Blc due the U.S. $ 3.871.00
Rent. " " " 1.164.03.

I am Respectfully
Your Obt Servt
Thos. A Bendinicks.
Comm. Genl

Treasury Department,
Comptrollers office
April 12th 1858.

164. Sir

Your Ofc as Surveyor General of New Mexico on acct of office rent, fuel and incidental expenses for the 4th quarter, 1857 have been adjusted at the Treasury and a balance of $ 1164.03c found to be due by you to the United States as stated by you.

Respectfully Yours
Wm. Medill
Comptroller

Wm. Pelham Esqr.
Surv. Genl of New Mexico

General Land office
April 19th 1858

165. Sir. Your letter of the 13th ult. has been received, transmitting copy of field notes, plats and accounts of J. H. Clement D.S. for surveys under Contracts No 8. of 21st November 1857, together with the accounts of J. Proctor for number of surveys and state to you from your files these accounts have not been reported for

payments with a regret that Treasury Notes of one Hundred Dollars Each for the Amount of Mr Clements Ase may be sent to Dr Hodge Esqr also a Draft for the Amounts of Mr Ashby Ase to him at Santa Fé. both to the Care of the Surveyor General of which you will please advise them.

The above mentioned field notes are returned (separate packets) that Blanks in Certificates may be filled, and the Signatures of Mr Clements Assistants with that of the Notary Public administering the oath may be had In future Each omission will cause a Suspension of the Depity Ase until Corrections are made

Very Respectfully
Your obt Servt
Thos A Hendricks
Commissioner

Wm Pelham Esq
Surveyor General,
Santa Fé, N.M.

General Land Office
April 21. 1858

Sir.

I Requested in the letter of Mr Davis of Whitney of 8th Instant; I have this day Mailed to your address a package Containing Seven Diagrams Protracted. Drawing pencils

Very Respectfully
Thos A Hendricks
Commissioner

Wm Pelham Esqr
Surveyor General
Santa Fe, N.M.

Santa Fé, New Mexico
April 2d. 1858

167. Wm. Pelham Esqr
Surveyor General
Sir.

In obedience to your order, to examine the Surveys made by Depy Surveyor Q. J. Walker under his contract dated March 6, 1858 I have to report that I made an examination of the work and found it in strict conformity to the principal and guide Meridians. The Corners were made of large rocks mound pits and trenches and in all cases where the Regulations call for Mines rather better than they are generally met with. They are correctly noted.

Very Respectfully
Your obt Servt
C. F. Battaile
Examiner of Surveys

Santa Fé, New Mexico
April 2d, 1858.

168. Wm. Pelham Esq
Surr. Genl.
Sir.

In obedience to your order to examine the Surveys made by Depy Surr. Robt. O'Kelly under his contract dated Octr 5, 1857. I have to report that I made a thorough Examination of the work and found it in strict Conformity to the Instructions to Deputy Surveyors

Very Respectfully
Your obt Servt
C. F. Battaile
Examr. of Surveys

General Land Office
April 26th 1858.

169. Sir

Upon the receipt hereof you are requested to report to this office the number of Clerks, Draughtsmen and other persons employed in your office with the name of each person and the Compensation paid each one respectively with such suggestions as to the Re-arrangements both in their number and pay or the increase of the same, having regard to promoting the efficiency of the service and keeping the office work up with that in the field. The System of Compensating Clerks in the Surveyor General's offices sanctioned by this office in its Circular letter to the Surveyors General dated September 16th 1857. (See page 996 Land Instructions & Decisions, part 2) having been departed from in some instances, your attention is invited to those instructions so that they may afford you the necessary basis for your report. Should you however deem stated salaries at so much per annum preferable to so much per piece or hundred words upon the condition of the office hours from 9 A.M. to 1 P.M. and 2 P.M. to 4 P.M. from 1st of October to 1st of April eight hours, you will submit your recommendation of the rate of salary, you would allow and your reasons for the same, when required will be duly considered, decided by the Department that the Commissioner is to have in your future employment the best interests of the service.

Very Respectfully
Your Obt Servt
Stephen Pleasonton
Commissioner

Wm. Pelham Esq.
Surv. Gen'l
Santa Fe.

General Land Office
April 29. 1858

170. Sir

I am notified to grant expediting of the 92nd
limit act to forty number of Claims
(Private land) have been reported favor-
ably & unfavorably by the Surveyor
General of New Mexico &c. I have
the honor to state that the Surveyor
General, in his returns have
been made to this office, has approved
and transmitted here for the purpose
of being laid before Congress for their
final confirmation the following claims
19 Private land Claims and 17 Pueblo
Claims as per abstract herewith, and
that the papers in duplicate relating
thereto have been sent to the Depart-
ment at various times with the re-
quest that the same may be submitted
to Congress for their final action
thereon.

The former Claims are considered
to be recognized by the Surveyor Gen-
eral by Paragraphs from 1 to 18 both
inclusive, the last one in the ab-
stract, that of E M Eaton is not
yet finally designated by the Surveyor
General in his Corrected Schedule
of Private Claims, accompanying his
letter of January 12th 1858. Copy
herewith. His attention was called to
the omission in my letter to him of the
4th ultimo

The latter Claims are designed to be
recognized by Alphabetical letters
from A. to S. inclusive with the ex-
ception of the "Claim of Pueblo" Nambe
which in the absence of the proper
designation by the Surveyor General
and the terms of his letter of the
12th Inst. last herewith, is suggested.
that the Claim be recognized by the Committee
in their action must be attended to

The Surveyor General of New Mexico has no information whatever upon the Subject of Disallowed Claims, and therefore this Office is of opinion that the remainder of the Private Claims filed in his office and not approved by him for the reason that there exists a reluctance on the part of the Claimants to file their claims. to which the Surveyor General alludes in his Annual Report dated September 30th 1857, as follows.

"The people of the Territory are informed "(in many cases by designing persons,) that "the decision of this office on their claims "makes them no more secure than they "are at present; that it will occasion "them great Amount of unnecessary labor "and in many cases Expenses in paying "witnesses which may be required in "the investigation of claims before this "office, and therefore very few have re- "sponded to the notice requesting them "to present their claims." &c

In reference to your enquiry as to the Pueblo Claims I have to say, that I am not advised by the Surveyor General of any adverse decision made by him upon them he reported unfavorable against any of this class of claims, I deem it proper to add that the grants of Pecos, and Santa Ana which in his report of the 30th September 1855, under the head of Pueblos he stated have been filed, examined and approved by this (his) office, have not been transmitted by him to this office for the purpose of confirmation of Congress.

I have the honor to be very Respectfully Yr Obt Servt

Signed Thos. Rodriguez

Surveyor Gen.

Chas. Thos. Christie Esq.

Commissioner Gen. Gen. Private Land Claims

Washington D. C.

See accompanying letter No 172.

156

General Land Office
June 4th 1858.

171. Wm. Pelham Esq.
Surveyor General, Santa Fe N.M.
Sir, The acts of 2 of Battalion D.S. for his services and expenses incurred in making an examination in the field of the Surveys executed by Dep. Sy. O. Keller D.S. under his contract dated 5th Octr. 1857. Per instructions dated April 4th 1858 have this day been reported for payment, with a request that a draft in his favor for $ 48.00 may be sent to him at Santa Fe. N.M. Care of Surveyor General, of which you will please advise him.

I am Respectfully
Your Obt Svt
Wm A Hendricks
Commissioner.

General Land Office
May 11th 1858

172 Wm Pelham Esq
Surv Genl. Santa Fe N Mexico
Sir

In your information and Government in relation to the subject of designating private land claims & locations claims pend[ing] in the various Surveyors offices to the Chairman of the Committee of Private Land Claims of the House of Representatives made in pursuance of a Call made by them.

Very Respectfully Yr. Obt.
Wm A Hendricks
Commissioner.

See Communication No 170.

Santa Fé New Mexico
May 14. 1858.

173. Sir

I have the honor to report, that I have examined the Lines run by Borden & Clements deputy Surveyor in this Territory under his Contract dated March 30 1858 and find them in accordance with the Laws of the United States

The quarter Section and Section Corners have been placed as the law directs and to my belief and knowledge the work has been done in conformity with the instructions of the Surveyor General.

very Respectfully
S. Borden
Sy. of Surveys.

To Wm Pelham Esq
Surveyor General of N. Mexico.

General Land Office
May 17th 1858.

174. Wm Pelham Esq. Surveyor Genl
Santa Fé N Mx,

Sir, In answer to your letter of April 12th asking that a remittance may be made to you for your own account, letter and that of the Clerks of your office for the quarter ending June 30th, to the same amount as that remitted to you for the last quarter, I have to inform you that I have this day requested the Secretary of the Interior to cause a requisition to be issued in your favor for the amount asked for and that it be sent to you in one draft of $750.00 and five drafts of $150.00 each on the Asst. Treasurer at New York.

Very Respectfully
Your Obt. Servant
Wm A. Maclay
Commissioner

General Land Office
May 17th 1858.

175. Wm. Pelham Esq
Surveyor General
Santa Fe New Mexico

Sir,

Your letter of the 9th March last has been received, transmitting the field notes and plats of the Survey of the Exterior Subdivision lines of fractional Tps. 19 N. R. 4 E. — 19 N. R. 5 E. & Tp. No. 3, 4 & 5 E of the Principal Meridian of New Mexico together with the Bill of John M. Garretson D.S. for executing the above Surveys under his Contract dated May 29th 1857.

Mr. Garretsons Bill has this day been referred for payment with a request that Treasury Note or in their absence Draft on New York may be sent to him at Santa Fe. For the Survey of T. 19 N. R. 5 E. as per request,

General Instructions were directed to adjusting the Area and Corrected Plat as follows, viz:

Change Sixth Meridian between Tps. 4 & 5 E. through Tps. 19 & 20 N. in pursuance of Con. 28th Sec. Changed the 7th Mer. 58 Chs.

Boundary line between Tps. 19 & 20 N. Rs. 4 & 5 E. omitted as of Con. 74th, 29 Chs. Planned the Con 76th 39 Chs.

Subdivisional Lines of Tp. 19 N. R. 4 E., omitted as of Con. 29th, & 01 Chs. Planned the Con 30th 81 Chs.

Subdivisional Lines for Tp. N. 4 E. omitted as Con. 30th 81 Chs. Planned the Con 32nd 48 Chs.

Meander Lines for Tp. N. 4 E. omitted as Con. 61st 91 Chs. Planned the Con 63rd 61 Chs. Meander the West side, in accordance of notice, Meander Rio Pecos, on Tp. 19

instead of 25th 34th 46th Ills.

Very Respectfully
Your obt Servt
Geo A Hendricks
Asst Surgeon

1761 Copy

Head Quarters of N Mexico
Santa Fe May 30 1858

Captain

Your letter of the 25th inst had been received and laid before the Commanding General of the Department who directs me to say, it will not be proper under the circumstances represented by you, to detach any part of your Company to protect the Surveying party under Mr Weber. If there is real danger to be apprehended, the Surveying party had better discontinue their labors until some understanding can be had with the Utahs through their proper Agent, or some other means as ample protection can be given, Twenty men would be the judgment of the Department Commander insufficient rather than respects hostilities of Mr Weber and party are seriously threatened with an attack, it would be advisable to seek for western temporarily, either at Fort Massachusetts or Canadian river

Very Respectfully
Your Obt Servt
Geo A Hendricks
Asst Surgeon

Capt Tom Duncan
Comdg Co H 1st Dragoons
Camp Fort Massachusetts
New Mexico

Official Copy respectfully
Forwarded for the information of Genl
Hoffman Commdg Department of N Mexico
By Command of Brevet Brig Genl Garland
E. R. Mc Cook
2d Lieut 1st Dragoons
Actg Asst Adjt Genl

General Land Office
May 21st 1858.

177 Wm. Dolhard Esq.
Surveyor General
Santa Fe. New Mexico.

Sir

Your letter of the 29th ultimo has been received transmitting the field notes and diagram of the Survey of Exterior lines in two Districts executed by Robert G. Shelley, Deputy Surveyor under Contract dated 5th October 1857, together with his account therefor. And the Report and account of J. F. Dallam D.S. for the examination of the above work.

Mr. Shelleys acct has this day been submitted for payment with a Requisition that a Draft in his favour for $3921. 32 may be sent to him at Washington City District of Columbia to the care of Orlin Scotts Esq. as per his request in letter dated April 13th 1858.

Very Respectfully
Your obt Servt
Geo. A. Hendricks
Commissioner

General Land Office
May 21. 1858.

178 Sir,

I have to acknowledge the receipt of your three letters of the 29th ultimo transmitting Contract and Bond executed with Surveyor Generalship & Tiny Contract &c. Surveying with D.S. Clements & Contract with R.G. Shelley Deputy Surveyor, all in your letter of the 29th ult enclosing Contract &c. with D.S. with Deputy Surveyor A.J. Whittier

Wm. Dolhard Esq.
Surveyor Genl
Santa Fe New Mexico.

Very Respectfully
Your obt Servt
Geo. A. Hendricks
Commissioner

# Circular

General Land Office
June 4th 1858.

179. Hon. Gilchrist Esq. Surveyor General
Santa Fe New Mexico

Sir:

I deem it proper thus early to advise you that from and after the 1st of July next the compensation of all Clerks and Draughtsmen employed in the Surveyor Gen'l Offices must be paid out of money per annum payable directly from the United States Treasury to them and each of them by draft to be remitted to them as they may direct in their accounts These accounts must be certified to be correct by the Surveyor General and then sent to this office for adjustment and issue in the same manner with Deputy Surveyors accounts.

In consequence of this arrangement no more advances of funds will be made to the respective Surveyor Generals for the payment of Clerks and Draughtsmen in their offices, but in regard to the remittance necessary to pay the incidental expenses of their respective offices, the same course will be pursued as heretofore. You will please understand that from and after the first of July your quarterly accounts must continue to be rendered within the next ensuing quarter and always at as early a day as it may be practicable for you to do so. It is proper to observe that the allowance to Draughtsmen and Clerks to be paid salaried salaries for their services rendered at the Compensated Offices are at the rate of a number per hundred words or fees, or job work done in your office of some kind and labor when performing their accounts in order to identify and make easy the preparation of their accounts under this arrangement let them all be invariably made out so much per annum

instead of giving their Confederation for
a month or two. others seemed less than
a year.

I am respectfully
Your Obt. Servt
Geo. A. Broadfoot
Crown Lands Agent

Quebec, New Mexico
June 10th 1858

187 Hon. Spelman Esqr
Surveyor General of N.M.

Dear Sir

I have the honour to transmit here,
with a work of field notes which I would
be much gratified to have sent to Mr. Young
for at your earliest convenience. I
have progressing with my Contract and
will probably complete it in ten days
after I get there with Compt. Hale
and would like to get a Contract for
Subdividing between the line Dept. Cor.
line South Boundary R. 4. & 5 W. Guest-
which will not conflict with any
old grant

I am, respectfully
Your Obt. Servt
Geo. A. Kelley

General Land Office
June 12th 1858.

Hon. Wm. Pelham Surv. Genl
Santa Fe N. Mexico

Sir

In answer to your letter of April 5th
inst. requesting me that the official data of Gen.
Gadsden Treaty with Mexico, & Instructions
for their Subdivision Department, for the Survey
of certain Grants of Land & Private Claims
in the Territory of New Mexico, I am
directed to inform you that the Grant
to Messrs Hale & Bent, and for confirming
the title, for a portion of the Pueblo

by these officers. Since the following reply to make. Whilst the President of the U.S. had made a selection of land for military purposes at Fort Thorn, Genl Garland had no authority for ordering a Survey of the same and which selection had been made the Survey would have been made under the direction of the War Department whilst the Secretary of War had made application to the Secretary of the Interior to have the work executed and orders to that effect communicated to this office from the Department. There not being any appropriation made for executing any other Surveys in New Mexico than those of the Public lands and Private Claims and no instructions having been issued to your from this office to have Surveys any lands reserved for military purposes at Fort Thorn the selection of the Chaplain's claim and he is referred to Genl Garland for the authorization he claims for the location of the ground. Genl Garland, Directed the Survey of the Military Reserve at Fort Thorn, to be made the necessary selection so that he had done authority for doing so, and can inform Mr Carleton from what Sources he can receive hay (You will be pleased to remember that this office has received no Survey by any Deputy Surveyor of the Settlement, and he is referred to for the information

This account came to this office. The meanders of the Rio Grande are represented in the account and on the plat of Twp. 18 & 19 S. Range 4 W., to be 44 miles 20 Chains and 50 links, and by the figures given in the field notes, they measure 40 miles 60 chs & 72 links. The figures of the meanders given in the Columns on the plat as diagram, Considerably exceed the measurement given in the account, but there are errors and omissions in the columns of the figures on the plat which require correction. A critical examination of the field notes will show where these errors and omissions are to be found.

I am, respectfully, Your Obt. Svt.
Wm. A. Kendrick
Commissioner.

General Land Office
June 16th 1858.

182. Jon Gilham Esq.
Surveyor General, Santa Fe, N. Mex.
Sir.

Your letter of the 29th April last has been received, transmitting a copy of the field notes and Diagrams of the Surveys executed by Chas. H. Garretson U.S. under his Contract dated 2nd Feb. 1856 together with his account therefor and the account of Joseph A. Gray U.S. the Examiner of Surveys with his Report, Mr. Garretsons A/c was reduced by striking out the Survey of Fort Thorn, Mesilla Reserve, leaving the whole Amount of his A/c $7,329.61 from which $146.59 was deducted as the two per cent retained percentage leaving the Amount due the Deputy $7,183.02. This Account has this day been reported for payment with a Requisition thereon drawn on the Asst. Treasurer of the U.S. at New York may be sent to his address at Santa Fe, N. Mex. Care of

the Surveyor General
Mr. Dingee &c has also been reported for payment with a similar request.

Yours obt Servt
Thos A Hendricks
Commr

General Land Office
June 17th 1858

183 Wm Pelham Esqr
Surveyor-General Santa Fe. N.M.

Sir. Your letter of the 29th April last has been received, transmitting the Oath of A.P. Wilbar Deputy Surveyor, together with a copy of the Field notes and approved plats of the Survey thereof, accompanied with Account and Report of B.L. Battaile Deputy Surveyor, Examiner of Surveys.

The Account found due Mr Wilbar after retaining the Sum of $ 52.80c and correcting mistakes is $ 2059.34 which Amount has this day been reported for payment, with a request that Drafts on the Asst Treasurer at New York in his favour, for the above Amount, may be sent to him at Santa Fe. New Mexico, Care of D.G. Hoover Esq as per his request in letter dated April 28th 1858.

Mr. Battaile Ofc for $ 21.— has also been reported for payment, draft to be sent to his address at Santa Fe Care of Surveyor General - of which you will please advise him

Very Respectfully
Your obt Servt
Thos A Hendricks
Commr

General Land Office
June 18th 1858.

1854 Wm. Pelham Esq.
Surv. Gen. Santa Fe, N. Mex.
Sir.

Your letter of the 14th ultimo has been received, transmitting the accounts of R. E. Clements U.S. Deputy Surveyor with copy of the field-notes and approved Diagram of the Survey executed by him under Contract No. 11, dated 15th March 1858, together with Oath and Report of Order for examining the above Survey.

Mr. Clements has been reported for payment with a Register that Drafts on his favor for $100 Each upon the Asst. Treasurer at New York for the aggregate sum of $2,956,448 may be issued and sent to the address of U.S. Attorney Santa Fe, New Mexico, Care of Surveyor General as per his Register in letter dated May 14th 1858.

Mr. Archer has amounting to $60. has also been reported for payment. Drafts to be sent to his address at Santa Fe, Care of Surveyor General.

Very Respectfully
Your obt. Servt.
Jos. S. Wilkins
Commissioner

General Land Office
June 21st 1858

185. Wm. Pelham Esq. Surveyor Gen.
Santa Fe, N. Mex.
Sir,

The Act of Congress entitled "An Act making Appropriations for the Legislative, Executive and Judicial Expenses of Government for the year ending June 30th 1859 and for other purposes" approved June 12th 1858, transmitted for the Surveying Service

in New Mexico the following sums, viz
1st For Compensation of the Surveyor Genl of New Mexico and the Clerks of his office Seven thousand Dollars, $7000.00
2nd For Compensation of a Translator in the office of the Surveyor General of New Mexico, two thousand Dollars, 2000.00
3rd For Compensation of Clerks in the office of the Surveyor General to be appointed to them according to the exigencies of the public service and to be employed in transcribing field notes of Surveys for the purpose of preserving them at the Seat of Government, forty one thousand Dollars 41000.00
which aforesaid there has been this day apportioned to your office the Sum of
4th For rent of the Surveyor Genl Office in New Mexico, Fuel Books Stationery and other incidental expenses, three thousand Dollars, 3000.00

You are requested to arrange the offices so that the foregoing amounts shall be adequate for the next fiscal year upon the principles stated in my letter to you of the 6th inst. respecting the change in the mode of making payment to the Clerks in the offices of the Surveyors Genl from and after the 1st July next, which modification will place the Clerks upon the same footing as regards their accounts against the Government as are those of Deputy Surveyors, that is to say the Clerks will be paid directly from the Treasury at the expiration of each Quarter on your certifying their accounts to be correct and informing this office where the Clerks reside) direct Drafts to be sent. This as respects the Quarterly accounts for disbursements on account of rent of offices and other incidental expenses stated to be returned by you

[illegible] the accounts adjusted will be honored & allowed.

Under the provisions of "An act making appropriations for sundry civil expenses of the Government for the year ending the 30th of June 1859. approved June 12th 1858, there were appropriated for four surveying districts the following sums

1st For continuing the survey of Base meridian Standard parallel township and Section lines in New Mexico twenty five thousand dollars, $25,000,00

2nd For surveying such of the private claims in New Mexico as shall have been confirmed by Congress including expenses incurred by the Surveyor General in adjudicating the same fifteen thousand dollars $15,000,00

although the appropriation of $15,000 was made for the survey of the private claims & get the claims approved by Gen'l and submitted for Congress's final action thereon may be saving because their final confirmation, and survey thereof can be made, The item first mentioned containing the authority to pay the heretofore disallowed expenses incurred in the adjudication of the Spa claim forwarded of proper explanations, can now be liquidated out of the $15000 or so to the extent that the Circuit may be found reasonable and allowable

The amount of $192,45 charged in your last account for the 2nd quarter of 1858. being the aggregate of voucher 306 to 14 inclusive for expenses incurred in purchasing a mule for $107,00 and other charges for transmitting vouchers & for their mileage you are directed to disallowed by the office and in my letters to you of the 16th of December 1858 & 11th October 1858 you were advised

of the reasons thereof. Before this office can pass upon the vouchers heretofore disallowed and now forwarded and of the appropriation of $1,500 allowed to it is necessary that you make a special report as to the present condition of the charge of $2,000, as per a voucher for Overseer Nov & Dec in the Cent Account &c and which amount you stated had been paid to H. W. Reed on the 5th of August 1856, the article having been registered and furnished for the use of Gunner Office and may have since been disposed of either to the Gain or the Loss of Gunner Office and the amount paid for it.

For your information & Communicate to you the marked pencilled balances of Gunner also for explorations for the ensuing Season in Gunner District.

They are as follows.

1st For Completion of a Foundation in Gunner office per acct of 2d March 1857. $ 200.00

2nd For Purchase of Spanish & Mex. Coin Cambrels, &c as per acct of 2d March 1857. $ 500.00

3d For Surveying the necessary Astronomical Standard Parallel Township & Section lines &c per act. dated 4th Augt. 1854. 18th Augt 1856 & 2d March 1857. $4860.94

4th Gunner recommendation in the last annual report that Fort Smith Meridian might be authorized to be established and a military escort provided to enable Gunner Deputy to execute that work. Desire to say that the Department concurs & agrees with Gunner as to carrying on Surveying operations in Localities which require such operations and these operations will have to be extended to the Western portions of Gunner District

ces do not require a military force for the protection of your depredations.

I am very respectfully
Your obt Servant
J. J. Nelson
Commissioner

General Land Office
July 1st 1858.

186. Sir

The President of the United States has appointed you Surveyor General of the Territory of New Mexico from and after the 31st day of July 1858 and until the end of the next Session of the Senate of the United States and I herewith transmit you a Commission to such bearing date the 30th June 1858 with a blank form of bond to be executed by you with two or more good and sufficient securities in the penalty of Thirty thousand Dollars

The sufficiency of sureties must be certified by the Dist. District Judge or Attorney.

This bond is to be dated and the names of the principal and sureties in the body of the bond, and also the names of the witnesses when signed are to be written out in full. The place of residence of each surety must be designated in the body of the instrument

A separate seal affixed with a wafer must be fixed opposite to the sig. nature of the principal and of each of the sureties, and each of such signatures is to be attested by two witnesses and the residence of each witness must be designated opposite of his signature. The affidavits of your sureties as to their responsibility

with accompany the bond, your Sureties must qualify in double the Amount of the penalty of the Bond and in accordance with the accompanying printed form.

Care should be taken that no erasures or mutilations of any kind be made if made, all such must be attested and certified before signing -

The oath required by law, to support the Constitution of the U.S. and well and faithfully to execute the trust Committed to you, must be taken by you and endorsed on the Bond - & that oath be taken before a Justice of the Peace, a certificate of Magistracy, under Seal, should accompany it. The oath and Bond are to bear the same date.

When the Bond is executed in strict conformity to the prescribed formalities which you will be careful to see is the fact, You will transmit it to this office by mail, under a sealed envelope.

Please acknowledge the receipt of your Commission without delay & transmit your bond to this office as soon as practicable.

I am respectfully
Your obt Servant,
W. T. Wilson
Acting Commissioner

William Pelham Esq
Surveyor General
Santa Fe
New Mexico

General Land Office
July 8th 1858

1871. Wm. Pelham Esq.
Surveyor General
Santa Fe N. M.

Sir, Your letters of the
14th ult. & first last have been received
transmitting your quarterly accounts
& vouchers for the 1st quarter
of 1858,

These accounts have been
adjusted and Reported to the first
Comptroller of the Treasury for
his decision thereon, & allowed
they have been balanced on the United
States Ledger, to wit,

One Salary account $ 625.00
" Rent, " 62.43
Rancher No 6 of Rent account, has been
suspended. The Office is entirely too
extravagant, and unless satisfactorily
explained, it cannot be allowed.

Such an Office has never been fair
in any of the Surveying districts and
this office is not desired to allow
to Unlimited and unreasonable an
expenditure.

Respectfully
Your Obt Servt
Jos S. Wilson
Acting Commissioner,

Treasury Department,
Comptroller's Office,
July 8th 1858.

188 Wm Pelham Esq.
Surveyor General of New Mexico
Sir,

Your letter as Surveyor General
of New Mexico and as ex officio Gov.
of that and Superintendent of

for the 1st Quarter 1858 have been adjusted at the Treasury and a balance of $60.45 found to be due by Govt to the United States omitted of $60.45. The balance stated by Govt. making a difference of $54. which arises as follows, viz.

By the suspension of Order No. 6, $54.00

Very Respectfully,
Your Obdt
Comptroller

Treasury Department
Comptroller's Office
May 8th 1858

189. Wm Pelham Esq
Surv. Gen. of N. Mexico
Sir

I have adjusted the Accounts of the Surveyor Gen. of New-Mexico for Office & Clerk Compensation and that of the Clerk employed in your office for the 1st Quarter 1858 have been adjusted at the Treasury and a balance of $3750. found to be due by you to the United States omitted $1 $489.37. The balance stated by you making a difference of $ 3261.63. which arises as follows viz

By your Draft dated the Amount of Vouchers Nos 3 dated 2nd Inst 1857 $ 1.63.
" " " 6 " 2nd " 1857 4.89.
" " " 7 " " " 5.11
By Amount Draft No 6 dated May 5th 1858 which was not allowed credit after Item Stated by Govt. 3250.00

Difference as above $3261.63.

Very Respectfully,
W. Pelham
Comptroller

174

Treasury of the U.S.
July 14th 1858

196 Sir

Enclosed you will receive Three Treasury Drafts payable to your order. Please Date and Sign the accompanying receipts, and return it to this Office by the first mail, and Cause the drafts to be presented for payment without delay

Very Respectfully
Your Obt Svt
J. Casey
Treasurer of the United States

William Dickson
Surveyor General, of New Mexico.

General Land Office
July 15th 1858

191 Sir.

The returns of the transcripts of the field notes of surveys in your Surveying Districts which reach this office from time to time are deficient in not being accompanied by an Index diagram, referring the lines surveyed to the proper pages of the field notes. I have therefore to refer you to the form of the Index Diagram contained in the Manual of Surveying Instructions immediately preceding the form "A" of the field notes of the Exterior boundaries. I send to request that in your future returns you will furnish the Index Diagram above referred to to the field notes of each Township, so that by the Index Diagram which a description of the particular line surveyed, is to be found,

Very Respectfully
Your obt. Servt.
Tom A Hendricks
Commissioner

William Dickson Esq
Surveyor, Genl of New Mexico

Santa Fe New Mexico
Aug. 2. 1858

192 Sir

I have the honor to report to you that I have examined the lines run by John N. Garretson and Joseph A. Ely under their contract dated January 26th 1858 and find them in accordance with the laws of the U.S.

The 1/4 Sec & Sec Corners have been placed as the law directs due to my belief and knowledge the work has been done in conformity with the instructions of the Surveyor General

Very Respectfully
Your Obt Servt
J. F. Battaile
Examiner of Surveys.

Wm Pelham,
Surveyor General
of New Mexico.

General Land office
August. 4th 1858.

Wm Pelham Esq
Surveyor General,
Santa Fe New Mexico

Sir. I am in receipt of your two letters of June 30th with your Salary and Incidental expense accounts for the Quarter ending that date, and have to inform you that both have been adjusted and reported to the first Comptroller of the Treasury for his decision thereon

The sum of $ 294. 00/100 included in Voucher No 1. being your expenses incurred in making a Resurvey of the Boundary Lines of the Private Land Claim of Juan Antonio Garcia de Noriega and Incidental, Account but to the appropriations for surveying

176

[illegible] [illegible] [illegible] [

General Land Office
Dec 14th 1858

1857 Wm Pelham Esq
Surveyor Genl.
Santa Fe New Mexico

Sir I am directed to your letter of the 28th ult. to be credited in the Amount of $8.00, for the purchase of certain Town Lots entered and paid for at the Land Office at Santa Fe, and to inform you that Warrants for payment from the Treasury will be made to the persons to whom your office may be indebted, by drafts to be issued in their favor and sent where they may direct on the certificates of the Accounts made out in your favor and duly certified by you to be correct.

In regard to your application for a Grant of 160 acres of land to each of the Citizens of Santa Fe, referred to in your letter of the 28th ult. I am directed by the Commissioner of the General Land Office to inform you that the Authority of the Executive has not this day been requested to cause a Register and Receiver to be appointed to your District, for the Adjustment and Location of the claims in three districts of which $8.00 each in the Aggregate at New York according to your Estimate.

Very Respectfully
Your Obt. Servt.
Edm. Raines
Actg Commissioner

(Copy)

General Land Office
Dec. 14th 1858

Wm Pelham Esq
Surveyor General
Santa Fe, New Mexico

Sir

Your letter of the 28th ult. has been received. You are credited with $8.00 for the purchase of certain Town Lots entered and paid for at the Land Office at Santa Fe.

under his control of April 10th 1858
with a copy of the field notes and
a proved plots of the survey and keeps
to inform me that he account has
this day been accepted for payment
with a regret that a draft for the
sum of $2566.68 may be sent
to his agents care of Mr Williamson
& Co. Philadelphia, of which you
will please advise him.

In regard to the Certificate of
the field notes sent to this office, I
have again to request that they all
be clearly stitched together at the
sides before making them and hope
this duty on your part will not
hereafter be neglected.

Very respectfully
your obt. Servt.
[illegible]
Actg Commissioner

Treasury of the United States
Aug. 9. 1858.

197 Sir

Enclosed you will receive One Treasury Draft payable to your order. Please date and sign the accompanying receipt and return it to this office by the first mail and cause the draft to be presented for payment without delay.

Very respectfully
(Your obt Servt)
E. Carey
Treasurer of the U.S.

Wm Silvis Esq
Spec. Agt

Treasury Department
Comptrollers office
Aug. 9. 1858.

198 Wm Pelham Esq
Surveyor Genl of N. Mexico
Santa Fe. N.M.

Sir.

Your accounts as Surveyor General of New Mexico on account of office int. fuel and incidental expenses for the 2nd Quarter 1858 have been adjusted at the Treasury and a balance of $1674.43 found to be due by you to the United States instead of $153,57 the balance claimed by you, making a difference of $1828 in favor of the latter as follows, viz:

By suspension of Voucher No. 6 in favor Land office in Salt Lake. $54.00

By your not charging yourself with the amount of Draft number No. 1102. dated July 13th 1858. 1500.00

Amount carried forward $1554.00.

By your credit of Voucher No 7. not formerly chargeable to this account 274.00

Difference as above $1828.00.

Very Respectfully
W. Wilson Hill
Comptroller

Treasury Department
Comptrollers office
August. 9. 1858.

199. Wm Pelham Esq.
Surveyor General of New Mexico.
Santa Fe. N. Mo

Sir. Your accounts as Surveyor General of New Mexico for the last Quarter, including fuel and that of the Clerks employed in his office for the 2nd Quarter 1858 have been adjusted at the Treasury and a balance of $361.46 found to be due by you to the

United States as stated by you.

Very Respectfully
Wm Preble
Comptroller

Treasury of the United States
Aug 11 1858.

200. Sir

Enclosed you will receive one Treasury Draft payable to your order. Please date and sign the accompanying receipt, and return it to this office by the first mail, and cause the draft to be presented for payment without delay.

Very respectfully
your obedient Servant
S. Casey.
Treasurer of the U.S.

Wm Pelham, Surveyor Gen.

Quincy, Ill. Aug. 13. 1858

201 Sir. I have the honor to inclose you a deed of conveyance to certain property in New Mexico Territory from Giddings & wife to myself.

I have recently understood that you are investigating the validity of titles to real estate in the Territory & therefore have taken the liberty of sending you the original deed from Giddings & wife to me for your investigation.

As I am serving in the U.S. Army as Capt of Cavalry & constantly changing from one station to another, it will be difficult for me to inform you where to address me. I will therefore request that any information you may have to communicate in relation to my claim may be made to my Son Wm Stanley

Surveyor General's Office
of New Mexico.

General Land Office
Aug. 14th. 1858.

202 Wm Pelham Esq, Surv Gene,
Santa Fe, New Mexico.

Sir

I am in receipt of your letter of July 16th transmitting the account of J R Kelly D.S. for the Survey of Standard parallel and exterior township lines in New Mexico, under his contract of April 10th 1858 with Copies of the field notes and approved plats of the Survey and have to inform you that his account after correcting a small error therein, has this day been reported for payment, with a request that a draft in his favor for $ 2566.65 may be sent to his address Care of M. Mills & man Esq Philadelphia, of which you will please advise him.

In regard to the transcript of field notes sent to this office I have given to request, that they all be secured and properly stitched together at the side, before mailing them and hope that duty on your part, will not hereafter be neglected.

Your letter of July 19th enclosing a communication from the Clerk in your office against the new mode adopted of paying their Salaries, is also at hand, and their Communication has received attention. The change

made will probably subject the clerks to a little inconvenience for the first quarter it goes into operation, but doubtless they shall regulate their transactions and affairs to suit the change that inconvenience will be no longer felt and they will prefer it to the old mode of payment after a brief experience. The drafts for the sums due them at the end of the current quarter will reach them by the 31st of December or further if there be a delay in your office in preparing and forwarding their accounts. After that time only three months will intervene between their quarterly payments as here to fore

Very Respectfully
Your obt Servt
Jno A Hendricks
Commissioner

Copy

General Land office
August 19th 1858

203 Wm Pelham Esq. Surv. Genl.
Santa Fe. N. Mex.

Sir. I am in receipt of your letter of July 6th transmitting the account of R. P. Kelley D.S. for the survey of Standard Parallel and exterior township lines in New Mexico under the contract of April 10th 1858 with a copy of the field notes and approved plats of the survey and have to inform you that his account has this day been reported for payment with a regret that a draft in his favor for $2566.68 may be sent to his address care of Williamson & Co at Philadelphia of which you will please advise him in regard to the transcript of field notes sent to this office, I have again to regret that they are so carelessly & improperly worked together at the sides &c × × × × ×

Jno A Hendricks
Commissioner

Wyandott City. K. T.
Aug. 18th 1858.

204. Wm. Pelham Esq.
Surveyor General of N. Mexico
Sir

Although a stranger to you I take the liberty to enquire of your arrangements as I understand are such as will enable you to place any deputies at work during the present season. — I am a surveyor & Engineer of some years standing, properly trained to the business, and desirous of obtaining employment under the Government in your Surveying District I am not at present engaged in any business of importance and as I am thoroughly conversant with a frontier life I can leave for New Mexico at any time — Merchant major Emory and Gen Weller are known to me, many prominent Democrats throughout the Country; and as I have been employed in some of our Railroads I can refer to gentlemen of the highest standing in that line).

If you desire you may make use of my introduction without an introduction and send me a reply at your earliest convenience I am Sir

Respectfully your obt Servant
William Miller,

Surveyor Genl's Office
Sante Fe, 19th Aug 1858

Wm. Pelham Esq. Surv. Gene
Santa Fe. New Mexico

Sir
Your letter of the 9th transmitting

the diagram and transcript of the field notes of additional Exterior Township lines surveyed by Robert P. Kelley D.S. under his contract of April 10th 1858 with his account for the performance of that service is at hand. I have to inform you that Mr Kelleys account has this day been reported for payment, with a request that a draft in his favour for $1.342.84 may be sent to this address Care of H Williams Iron Works in Philadelphia, according to his request. Please advise him of the same

Very Respectfully
Your obt. Servant,
Thos. Hendricks
Commissioner,

General Land Office
August. 30. 1858.

Wm. Pelham Esq
Surveyor General. Santa Fe. N. Mex
Sir,

I am in receipt of your letter of the 1st inst. enclosing the account and report of C. T. Ballaine D.S. as examiner of the Surveys executed by R. P. Kelley under his contract of April 10th 1858. and regret that your commission to attach your signature to the certificate appended to his account, will prevent its being reported for payment. The said account is herewith returned in order that it may be properly executed.

Very Respectfully
Your obt. Servant
Asst. Com.
Acting Commissioner

General Land Office
August, 20th 1858.

207. Sir

Enclosed you will find a letter from William Pelham making application to you for employment in your District which has been forwarded to this Office

Very Respectfully
Your obd't Serv't
Joel Wilson
Acting Commissioner

W.m Pelham, Esq.
Surveyor General.
Santa Fe, New Mexico

Santa Fe New Mexico
September 1. 1858.

208 Sir I have the honor to Report to you that I have examined the work executed by R E Clements Esq under his Contract No 11. dated March 13th 1858 and find that the work has been executed Agreeably to the laws of the U.S. and that all Section and Quarter Section Corners have been established &c, According to instructions given to Deputy Surveyors.

Very Respectfully
Your obd't Serv't
J. Archer
Esq. Asst. Surveyor

Wm Pelham Esq
Surveyor Gen'l
Present

General Land Office
September 18th 1858

Wm. Pelham Esq.
Surveyor General
Santa Fe. New Mexico.
Sir.

I acknowledge the receipt of your letter of the 14th inst. transmitting the approved plats and copies of the field notes of the Sub. divisional Surveys in New Mexico which were executed by John N. Garretson & Joseph A. Ting Deputy Surveyors under their Contracts of Jany 26th 1858 and their account for performing that service. The said account has been reported for payment, with a request that a draft in favor of Mr. Garretson for $11.873.61 may be retained for him at the Treasury Department until he calls for it, and that a draft in favor of Mr. Ting for $11.641.61 may be sent to him at San Antonio Texas divided into eleven drafts of $1077 each and one draft of $1041.61 as requested in his letter.

I am also in receipt of your letter of the same date, explanatory of the expenditures incurred in Surveyor Gl's. which accompanied your Quarterly and incidental expende account for the quarter ending March 31st and have to inform you that your explanations is satisfactory to this office and the account in question will be passed to your Credit when your accounts for the current quarter shall be received and adjusted

Very Respectfully
Your Obt. Servant
Jas. L. Wilson
Acting Commissioner

P.S. The absence of Mr. J. J. Bartlett from examining the survey of Messrs Garretson & Ting has also been received and reported for payment, with a request that a draft in his favor for $345.66. may be sent to him at Santa Fe. N. Mex.

J. L. W.

General Land Office
Septr. 2d. 1858.

210 Sir,

I am in receipt of your letter of 21st ultmo transmitting copies of the field notes and diagram of the Survey of correction and exterior township lines in Oregon Territory executed by R E Clements D.S. under his contract of March 13. 1858., and his account for performing that service. The said account has been reported for payment with a request that a draft in his favour for $ 8,499.03. may be sent to his address care of Mr Williamson P.O. 425 Market Street, Philadelphia as requested in his note found endorsed on your letter.

I am also in receipt of your letter of the 9th ultmo transmitting contract and bond of R S Kelly for the subdivision of certain townships in New Mexico which appears to be properly and legally executed. I shall hereafter rendering the accounts of Deputy Surveyors, give their first names in full and always register the names of sureties to bonds and signers of contracts to be written in full.

Very respectfully Your
Obt. Servant
Jno. M Wilson
Actg Commissioner

Wm. Pelham Esq. C.
Surv. General
Santa Fe New Mexico

(Copy)

General Land Office
September 2d. 1858.

211. Wm. Pelham Esq.
Surv. Gen'l Santa Fe N. Mex.
Sir,

I have to acknowledge the receipt of the following letters, viz:

of the Charges of $ 100. in Voucher No 3 of
Capt Jos. Reddefore disallowed for want
of Appropriation to liquidate the in-
cidental Expenses of your Office per
Law, leaving the Adjudication of Private Land
Claims in New Mexico. In the Bill against
the Government now sent Government to
the Sum of $ 268.82. I find the Items
of $ 27 charged Voucher (Medine) Allowed
you. Lee Beck Bernden & Co's Bill
for $ 116. Voucher No 2 for the 4th Qr 1855.
Of the 21st ultmo transmitting the Accounts
of James L Collins and C. C. 186. Qrst the first
for $ 554.38. And the second for $ 1280
accompanied by copies of the advertisement
for printing done by them in relation to the
Adjudication of Land Claims in New Mex-
ico

Before these Bills are reported for payment
they must be explained by you as to the
necessity of repeating the publication of the
"Notice to the Inhabitants of New Mexico"
which was originally published in January
1855. In your Statement you are requested to
say what particular notice was directed by
you to be published, when, for what period
number of squares each, the price per square
in which Newspaper, indicating the Accounts
paid by you and allowed by the Government
and showing such Accounts as have not
been paid. This exhibit is formed ne-
cessary to a proper understanding of
the Accounts for printing done in
New Mexico, before the same can be
passed upon.

And also yours of the 21st ultmo in explanation of Mr Garretson's Bill for the Survey of Fort Thorn and in reply to your
Suggestion that Mr G. executed the work in
good faith and that justice requires that
he should be compensated for his work
and that I should recommend its payment
to the Secretary of War I have to say that
Mr Garretson will be aware of from his

would be to apply its Genl. Counsel at this instance the proper measures & undertaken and performed, his representation to the Secretary of War would be more direct, and to the point

I am very respectfully
Your obt. Servant,
W. L. Wilson
Actg Commissioner

General Land Office
Octobr 13th 1858.

213. Sir

Your affidavit has been received bearing date 9th ultimo. Upon examination it is perceived that the affidavit of one of your Sureties is entirely blank both of the Caption and of the Acknowledgment, his signature and the Certificate of the Clerk of the Court.

You will call upon Mr Spiegelberg, the Surety required, to have the deficiency supplied by affidavit duly executed & forwarded to this office, immediately that the Bond may be approved

Very Respectfully
Your obt Servt
A. Commissioner

(Wm Pelham Esq
U.S. Surveyor
Santa Fe. N Mexico)

General Land office
Octobr. 21. 1858,

214. Wm Pelham Esq
Surv. Genl. Santa Fe New Mexico

Sir, (Acknowledge) the receipt of your letter of the 19th ultimo, transmitting the Synopsis of your private Annual Report, accompanied by duplicate of Affirmations and Depositions of Surveyors employed &c to date.

Very Respectfully &c.
W. L. Wilson
Acts Commissioner

General Land Office
Septbr. 21st 1858.

215 Wm Pelham Esq.
Surv. Genl Santa Fe. N. Mexico
Sir

I am in receipt of your letter of the 16th ultmo requesting that the sum of $800. may be remitted to you in order to enable you to purchase Spanish Mexican Law books, which you say are very much needed for references in the adjudication of Spanish Land Claims before your office.

In reply I have to refer you to the Regulations of our letter to you of the 14th Augt 1857 wherein you were called upon you to furnish a list of such books as may be needed, stating the estimated cost of each, and where & on what terms to buy them.

Upon the receipt of that list &c. such further action will be had by this office as the public interest shall require.

I am very respectfully
Your obt Servt
Jno. A. Wilson
Actg Commissioner

General Land Office
Septbr 27th 1858

216. Wm Pelham Esq. Surv. Genl
Santa Fe, New Mexico
Sir.

Your letter of the 28th ultmo transmitting copies of the field notes & approved diagram of the Survey of Guadalupe Meridian Standard parallel and exterior township lines in New Mexico which was executed by A. J. Wilbur, D.S. under his Contract of March 3d 1858 and his account for performing the work, in hand. The said account has this day been adjusted and reported for payment with a request that a draft in his favor amounting to $6,358.41. may be sent to him at New York addressed as requested.

I am Respectfully &c
Jno. Wilson
Acting Commissioner

General Land Office
October 4th 1858.

217 Wm Pelham Esq Surv Genl
Santa Fe. New Mexico

Sir

The case of O. F Battaile D.S. amounting to $ 512. on for Exa. examination the Surveys executed by J. P. Milhau under his Contract of March 8th 1858 and the account of Stevenson & Archer D.S. for Exa. examining the Surveys of R E Clements executed under Contract of March 13th 1858 Amounting to $ 90. all which were received with your letter of the 4th ult.o have this day been reported for payment with a request that checks in their favor for the Sums due them respectively be sent to them at Santa Fe. New Mexico, care of your office

Very respectfully
Your obt Servt
Thos A Hendricks
Commr

General Land Office
Octr 4th 1858

218 Sir

I have to acknowledge the receipt of your letter of Septr 2nd 1858 enclosing Contract entered into with R E Clements Esqr D.S. for examining the Surveys executed by him in Utah Ter. and the Oath of the Deputy and his Sureties, all executed in accordance with the requirements of this office the Contract is returned that the date when names of all the parties be given in full as the Contract in each case requires and then be returned to this office

Very Respectfully
Your obt Servt
Thos A Hendricks
Commr

William Pelham Esq.
Surv. Genl.
Santa Fe. N. Mexico

192

Signal Bureau, Office
Oct. 8th 1865.

29. Sir

I respectfully request permission to be absent from duty for 10 days from the 15th inst. on account of sickness in my family.

Very respectfully Your obt. servt.
Cyrus Allen
Capt. Sig. Corps

Signal Bureau, Office
Oct. 14th 1865.

30. Sir

The leave of absence for 10 days from the 15th inst. granted Capt. Cyrus Allen Sig. Corps is hereby revoked.

By direction of the Secretary of War.
Very respectfully Your obt. servt.
E. D. Townsend
Asst. Adjt. Genl.
Lieut. Col. Signal Corps
Chief Signal Officer
Washington D.C.

Signal Bureau, Office
Oct. 14th 1865.

31. Sir

The Secretary of War has directed that the leave of absence for 10 days from the 15th inst. granted Capt. Cyrus Allen Sig. Corps is hereby revoked.

By direction of the Secretary of War.
Very respectfully Your obt. servt.
E. D. Townsend
Asst. Adjt. Genl.
Lieut. Col. Signal Corps
Chief Signal Officer
Washington D.C.

said one of the Sureties to the bond may appear as they are written in the body of those instruments. It is also desired that your Clerk endorse on the back of this and all other contracts, a brief description of the Surveys Contracted for the date of their Expiration, the price paid per mile, and the penalty of the bond according to the Instructions generally prescribed for such Cases.

I am very respectfully
Your, Obt Servant
Wm A Hendricks
Com Gen

General Land Office
October 20th 1858

221. Wm Pelham Esq
Surveyor General
Santa Fe New Mexico
Ter.

Your letter of the 15th ult. is acknowledged with your annual report, estimates of appropriations and descriptions of Surveys executed, which have been received

Respectfully &c.
Wm A Hendricks
Com Gen

General Land Office
Octo 21. 1858.

222. Sir.

Returned herewith the act approved March 3rd 1857 entitled "An act to create the Land District in the Territory of Minnesota, and to provide for the Location of certain Half breed Scrip" which you transmitted with your letter of the 15th inst.

act the President has appointed Mr. H. H. Dandeur, Register and C. C. Mr. A. Street Receiver for the District thereby created and those officers have qualified in order to enter upon their duty by the date the act takes effect, to wit 1st Oct. next.

To enable those officers to commence operations they will have to be furnished with copies of the township plats of the several districts

Besides such copies of plats, the act of May 18th 1796 requires that the Surveyor General shall furnish the officers with descriptive lists of the sales of the Register & Receiver, with a plat of the Township, which shall exhibit the boundaries of the sections & fractions & the subdivision lines and also describe the Township mile & half mile corners.

(Until such time as the Register & Receiver for New Mexico, shall be in readiness to commence) original action to the extent of authority contained in the laws & existing authority as Receivers. Ex officio will be recognized as heretofore, it not being the design of the law that in the transition State, duties & authority there should be any interregnum or hiatus as to time, so far as individual interests are concerned. Therefore until thereafter Contracts to act up to the time when the Register & Receiver shall be superseded by the authority of the Register and Receiver, and of that fact due public notice will be given by them, so that parties interested will know precisely how to act with reference to their said Contracts, duties & responsibilities & transfer to such officers the records, papers & archives relating to lands in the district & together with all instructions

pertaining to the duties of Register & Receiver that have been issued to you.

In the event of a State of Conflict of Authority between your office and the offices of Register & Receiver and Surveyor General, the public convenience and the interest of individuals will both be greatly subserved by a wise and just decision promptly on your part after conference with the Register & Receiver of each.

Very Respectfully
Your Obt. Servant
Jno A Wendricks
Commissioner

Wm. Pelham Esq.
Surveyor General
Santa Fe, N. Mexico

General Land Office
November 3d 1858.

293. Wm. Pelham Esq.
Surveyor Genl
Santa Fe, N. Mx

Sir

The account of Surveyor Book and Warrant Accountant to $136.00 for Carpe[n]ter & Surveyor Compass adjusted & settled by me on this account for adjudicating private land Claims transmitted with your letter of September 30th last, is returned for payment and will be charged to the appropriation for the Office of the Surveyor General, agreeably to your letter of October 8th requesting a draft for the amount of your salary, for the current year. Should there not be sufficient funds in the Treasury to the credit of said appropriation, it will be returned for payment.

Very Respectfully Your Obt. Svt.
Jno A Wendricks
Commissioner

225.

General Land Office
November 5. 1858

926. Clifton Wetherill Esq. Surveyor
Santa Fe, New Mexico

Sir.

Your note of this morning advising me of the acceptance of Deputy Surveyor Clements and Duplicate by the Commissioner, is before me. It is very satisfactory.

Yours in receipt of your letter of the 3rd inst. transmitting the accounts of R E Clements Dy. for the Survey of Exterior and Subdivision lines under his contract of Oct. 3. 1857 and also the diagram and plats of those surveyed. There appears to be a mistake of four miles against the Deputy in the calculation of the Subdivisional lines of township 17 N. of R 6 E. the lines are being stated as 5 miles 7 ch. 68 links when they should be 9 miles 39 ch & 68 lks.

You also on receipt of your letter of Oct 3 transmitting the use of the same Deputy for the Survey of Exterior and Subdivisional lines under his contract of March 13th 1858, and the plats respectively representing the Subdivisional surveys. Also, however the Diagram representing the Survey of the Exterior lines only received. And the field notes pertaining to the entire work have not come to hand. The adjustment of Mr Clements two accounts and those of the Exterior and Subdivisional surveys also received, is suspended until these are in receipt of the missing papers.

Very respectfully
Your Obt Servt
Jno A. McCandrick
Commissioner.

General Land Office
Nov 7th 1858

224 Wm Pitt Ham Esq
Attorney General Santa Fe N. M.

Sir. I am in receipt of your letter of Oct 16th transmitting the Account of Chas F Kelly D.S. for surveying 299 miles 25 Chs & 35 Lks of Indian Boundary lines under his Contract of August 9th 1858 and also of the plats and field notes of said Surveys

The Account of Mr. Kelly amounting to $ 8.448.13 has this day been reported for payment with a request that a draft in his favor for the amount be sent to the Cashier U. S. Treasury Williamson Taylor & Co. in Philadelphia

Your obt Servant
Thos A Hendricks
Commissioner

General Land Office
November 16th 1858.

225 Wm Pitt Ham, Esq. Atty. Genl,
Santa Fe, New Mexico

Sir. Since my letter to you of the 5th inst. wherein I informed you that the Diagram of the Exterior lines that were surveyed by J. R. Clements D.S. under his Contract of March 5th 1858, and the field notes pertaining to that survey and the Surveys executed under his Contract of Octr 5th 1857, had not been received, but the Diagram alone attached to your letter, inviting

Statement with a request that a draft in his favor for $ 1255.95 may be sent Surveyor Gen'l's office. I have also reported for payment the account of Skeen & Anderson & Stokes U.S. for marking the exterior lines in the field of the above surveys with a request that a draft in his favor for $ 87.00 may be sent to him at Santa Fé

Gen'l Order in pleading Mr. Clements from the performance of the labors of the work under his contract and account of the impossibility of the Surveyor to obtain the requisite provisions at this office

I am also in receipt of a letter from Surveyor Gen'l Clements under his contract of March 18th 1858, that account will also be reported for payment.

Very respectfully
Your Obt Servant
Thos A. Hendricks
Surveyor Gen'l

Surveyor Gen'l's Office
Oct. 20. 1858.

229. Wm. Pelham Esq. Surv. Gen'l
Santa Fé. New Mex.

Sir.

Acknowledging the receipt of your letter of Oct 14th transmitting your official accounts for the quarter ending Septr 30th ult. I have to say that said incidental account for that period has this day been adjusted and reported to the 5th Auditor of the Treasury for his decision thereon. This adjustment showed a balance due from you to the United States of $ 388,69 as stated in your account.

Very Respectfully &c.
Thos A. Hendricks
Surveyor Gen'l

General Land Office
Nov. 26th 1858

230 Sir.

The perfected affidavits of Levi Spiegelberg one of the Sureties on your official bond having been received in your letter of the 20th ultimo, said bond is approved.

Very Respectfully
Your obt Servt
P. H. Hendrick
Commissioner

Wm Pelham Esq
Surveyor General
Santa Fe. N. M.

Treasury Department
Comptrollers Office
Nov. 29. 1858

231 Wm Pelham Esq
Surveyor General of N. M.
Santa Fe. N. M.
Sir

From the as Surveyor General of New Mexico and office Rent Fuel and incidental expenditures for the 3d Quarter 1858 have been adjusted at the Treasury and a balance of $388.69 found due by you to the U. S. as stated by you.

Very Respectfully
Your Obdt
Comptroller

General Land Office
December 2. 1858

232 Wm Pelham Esq
Surveyor General Santa Fe, N. M.
Sir In answer to your letter of Oct. 2nd ult. requesting information of the C. of S. M. Post and Daniel L. Collins for Advertising I have to inform you that both accounts have this day

been reported for payment. The report in favour of Mr Dodd was accompanied by a request that a draft on New York for $ 287.50 be sent to his address Care of O.P. Bacon Esq Santa Fe. New Mexico, and that in favor of Mr Collins with a request that a draft on St Louis for $ 554.38 be sent to him at Santa Fe. Care of your office

Very Respectfully
Your obt Servt
Thos Hendrick
Comm Indn Affrs

Warm Springs.
North Side Gila River
Decbr 3d 1858.

233 Genl Pelham

Dr Sir. I have this day settled upon a track of land containing 160 acres commencing at the head of the head of the Warm Spring and running East with the Base of the mountains, 1/4 mile, and South West with the claims of Beleher and Merritt One mile,

Which you to inform me what steps are necessary to be taken, to secure a title to this land.

Is there a law granting land to actual settlers, if so what is the law? if you have a copy of it in pamphlet form please send it to me.

Myers S. Fitzgerald and E. Cole each settled upon 160 acres a piece, lying South of Belcher and Merritt, any information will be gratefully remembered by all of us.

If these Springs are named please write it and oblige yours truly

E. Cole Sanford

Direct your answer to Arizona City.

Los Cruces Decr 6. 1858

234 Dear General.

Enclosed you will find the petition and original title papers in the claim of José Sutton to the tract of land known as the "Ojo del Anil, lying below Brazito Ranche in the Mesa. I had no instructions and very briefly and plainly set forth the facts touching the title in the manner in which they were stated before the California Land Commissioners. I hope it is substantially correct. The land has never been surveyed, and I desire you to make an order of survey, and have it done under your authority. I am sure, should interested in the grant and will take it as a great favor if you will inform me of the time of taking the testimony. I have already sent to Mexico for the deposition of Vergara)

Some year or more past I sent you the Donation notice and claim of Tomas or Tonio: He has now completed his four years of residence and cultivation and is ready to prove it. What steps shall I take Can I take the depositions here or must the witnesses be compelled to go to Santa Fé.

Write

Your friend &c.
W. Claude Jones.

Genl W. Pelham,

Warm Springs N. Mexico
Decr 14th 1858.

235. Sir,

We the undersigned have the honor to inform you that on the 12th day of October 1858 we have notified the Register & Receiver at Las Cruces agreeable to the

[illegible] Attorney Are hereby directed from the month after the date and Grant two sixty four to Thereafter until the Sixth date of [illegible] Personal family Agreement Thus Commissioner Interior Department Hereby Required the Yokayes Owners To Perform to entitle me to said Land.

The Papers are Ten in Number two of which Relate Other Red Fraternity water enough to irrigate Fifty Acres of Land.

I are Sir very Respect.
Your Obt. Servt.
Underfoot & Mantooth
Ellicott City Md.

The Hon. Commissioner
Commissioner General
Washington, D.C.

Ellicott City Md. Oct. 10, 1858.

Sir,

I am in receipt of your letter of the 6th Inst. transmitting Patent No. 2 to Reuben Mantooth for Fifty Acres of Land, and also Patent No. 3 to Charles Underfoot for Fifty Acres of Land, both issued under the Act of June 10th 1858, and requesting me to have said Patents delivered, and to forward the receipts of the Patentees when executed. I now return the Patents executed, and the receipts of the Patentees when executed, which I forwarded with your letter of July 16th and on notice from Mr. Kelly's Agent in Philadelphia, that he had received a draft for the above Amount. The Patentees signed, from the letter addressed by this Office to them with their Patents, and I am informed by Agent that Mr. Kelly [illegible]

[illegible] Agent [illegible] Land, [illegible] [illegible]
and Seal Limits of the Strangers Cove Settlement
with the Accounts, Plans, &c. [illegible] Surveyor
[illegible] Agent of Lands, [illegible] Plans
and Charges, [illegible] Accounts [illegible]
to hand, [illegible] are [illegible] [illegible] Copies
Copies of the Field Notes and Sketches
Plats of the Surveys executed by Mr.
Shelley [illegible] his Assistants [illegible] August
& Sept. 1838, [illegible] your State [illegible]
letter of 8th Oct. & the Papers transmitted
with this Account and other Papers
The latter [illegible] only to hand, but the
other are satisfactory

I received Col. Lemon's letter of the 17th
[illegible] and [illegible] C. Lands [illegible] for
Certain Alterations to be made thereon
and also to my letter of Mr. Shelley
[illegible] the Assignment [illegible] Secretary [illegible]
Superintendent [illegible] Crown Lands [illegible]
Sept. & Oct. & Documents of March 1838
and the Field Notes [illegible] Surveyor, the
entire whole [illegible] by Lands [illegible]
Sold [illegible] Quantity [illegible] to
[illegible] and [illegible] Reserves [illegible]
Sale [illegible] Grants, [illegible] Settlers [illegible]
Claims [illegible] Settlement [illegible]
to the Crown at Rate [illegible] the Settling
the Fees and Charges [illegible] to be made
[illegible] [illegible] [illegible]
Letters of 8th Oct. [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible]

206

General Land Office
December 9. 1857.

237 Sir

Your report dated 14 Septbr. last was received together with the papers accompanying, on the subject of the charges against you by C.B. Haygrudr.

All the papers in the case were submitted to the Hon. Secretary of the Interior on the 4th ultimo with the views of this office, and I now enclose you a copy of the Secretary's letter of 7th Inst. from which you will perceive that the charges of Mr. Haygrudr are not sustained.

Very Respectfully
Your obt Servant
Jno A. Kendrick
Commissioner.

Wm Pelham Esq
Surveyor Genl
Santa Fe, N. Mexico

Copy.

Department of the Interior
Washington Dec. 7. 1857

Sir

I herewith return the papers which accompanied your report of 6th Oct. last in regard to the charges preferred by C.B. Haygrudr against Wm Pelham Esq. Surveyor General of New Mexico

Having examined these papers, I find that the charges are not sustained, and you will advise Mr. Pelham accordingly

Very Respectfully
Your obt Servt
Thos Ewing
Secretary.

To Commissioner
of the General Land Office

Surveyor Genl. Rhode Island
Decbr. 17. 1858

238 Sir.

Herewith I enclose you for record in the Land office of New Mexico a copy of the title to the Laporte estate in the so called Gadsden Purchase, otherwise called Arizona Territory. This property lies upon both sides of Santa Cruz River and embraces thirty one square leagues or sitios" as called in the title

Please acknowledge the receipt of the accompanying papers and advise me what other course must be pursued

I am very respectfully
Your obt Servant
John R Bartlett.

To the Surveyor General
of New Mexico.
Santa Fe. N. M.

General Land Office
Decbr. 21. 1858.

239. Wm Pelham Esq Surr. Genl
Santa Fe. New Mexico

Sir

I have in receipt of your letter of Nov 6th forwarding the account of Robert M. Kelley Deputy Surveyor for dividing lands tax notices under and in completion of his contract of August 9th 1858, and the certified plats and field notes of the Surveys of M. Kelley, I have and having been found correct, I have this day Reported it for payment, and in the absence of any directions from your self as M. Kelley, where to send the draft, I have directed it to be forwarded to him at Santa Fe New Mexico, Care of your office).

The duplicate diagram and transmittal of the field notes of Exteriors

lines surveyed by him under his contract of April 10th 1858, and which were not received with your letter of Nov 4th have now come to hand.

Your deputies and clerks will hereafter attach to their accounts such directions as they wish to give about their drafts, because they will not then be overlooked, as is likely sometimes to be the case when not thus prominently placed before the eye of those through whose hands they may pass.

Very respectfully &c
Thos A Hendricks
Commissioner

Hatches Ranch C. W.T.
January 10th 1859.

Dear Whiting Esq.
Acting Surveyor General

Sir. Will you do me the favour to inform me whether there are now, or will be at any time during this year, any contracts for surveys to be let from your office? Eight years service in the West as a Railroad Engineer has given me, I presume sufficient Experience in surveys to ensure my being able to conduct any work entrusted to me in a satisfactory manner

Should you do me the kindness to hand this letter to Gen Wilde do me the further favour to mention that he has seen some of my letters of Recommendation from Engineers in the East under whom I have served.

I am Sir
Very Respectfully Y.O.S.
J. R. Conner

General Land Office
February 14. 1859

Wm Pelham Esq
Surveyor Genl. Santa Fe N. Mex
Sir.

241. x x x x x x x x x x x x x x x

In framing the accounts of your Deputies, there is no necessity of calculating any thing more than the aggregate number of miles surveyed, at the price allowed per mile, and in order that the directions for the destination of their draft may not be overlooked, it should be written at the foot of their accounts with as few words as will answer the purpose Letters from them in reference to their drafts will be rendered unnecessary by attending and adhering to this rule

I am very Respectfully
Your Obt. Servt
Thos A Hendricks
Commissioner

General Land Office
February 19. 1859.

Wm Pelham Esq. Surveyor Genl of New Mexico
at Philadelphia Pa

242. Sir.

In answer to your letter of January 21. asking a remittance of the Balance of the Appropriation per Act of June 2, 1858 for Rent of the Surveyor Genls office in New Mexico &c, I have to inform you that I have this day requested the Secretary of the Interior to cause a requisition to be issued in your favor for the sum of $1500. the Amount of said Balance.

I have also to reply to your letter of the 17th inst, dated Philadelphia Pa, asking that to enable you to purchase the necessary Stationery, Record Books

to record the evidence filed in your office by Claimants in support of their titles to lands for fitting up a Court room and to pay witness fees an additional sum of fifteen hundred dollars may be submitted to your chargeable against the appropriation of $15,000 for surveying such of the private claims in New Mexico as shall have been confirmed by Congress, including Expenses incurred by the Surveyor General in adjudicating the same, approved June 12, 1858.

In reply I have to say that inasmuch as the contemplated expenses have not been incurred by you no funds can be used until certified accounts against the United States are sent for direct payment from the Treasury for disbursements absolutely necessary to carry out the objects of the appropriation Act to witness fees mentioned in your letter I have to say that no Expenditure on that head will be allowed by this office, such expenses are to be borne by the Claimants producing evidence in support of their Claims. And as the objects enumerated by you for which $1500 is asked are few and limited I do not perceive the actual necessity for so large an amount should you find it absolutely necessary to purchase blank books and other stationary chargeable against the appropriation of $15,000 as aforesaid you will forward certified accounts for payment and if found correct the amounts will be remitted for the same.

Respectfully &c.

Wm. A. Hendricks

Commissioner

# Circular

General Land Office
March 31. 1859.

143. Wm. Pelham Esq
Surveyor General

Sir.

In accordance with the usages of this office, I take this early occasion to draw your attention to the duty of reporting the condition of the business of your surveying District and complying with the following requirements

1. A Synopsis of your next annual report of the progress of surveying in your district and matters therewith connected, to be prepared and mailed in time to be received here at a period not later than the 15th of Septr. next and accompanied by your surveying and office estimates for the fiscal year ending June 30th. 1860.

2. Your next Annual Report in full accompanied by the necessary documents and illustrative maps or diagrams, and comprising a copy of the Estimates, must be mailed in time to reach this office by the 15th of Octr. next. Each report and all its accompanying documents and diagrams, must exhibit the surveys executed and in process of execution and also those contemplated to be performed during the fiscal year above mentioned

Diagrams of this character are expected to accompany your Synopsis as well as your full Annual Report and must mark out and thereby distinctive characteristics the precise location and extent of the field

work

where the work has been executed and
point out the localities where the
Surveys are contemplated to be carried
under the appropriation to be esti
mated for the Surveying Service
during the fiscal year ending June
30th. 1861. Good and satisfactory
reasons, based upon reliable data
for extending the Surveys in any
particular locality, such as the
demands for settlements in con-
nection with the value of the
land for agricultural or other
purposes, ought be assigned in
your report.

3d. The synopsis, estimates and
reports respectively must be made
out on good paper of the largest
capsize, on seperate sheets with a
sufficient marginal space to ad-
mit of their being secured together
at the sides with tape. and the reports
and accompanying papers are to be
written on every other page, only
and must be prepared and forwarded
in triplicate.

4. In submitting your estimate for
office expenses, you will be careful
to give the name, duty and par-
ticular duties of each clerk em-
ployed in your office (minutely de-
scribing his business, so as to esta-
blish the necessity of his service
You will bear in mind that the or-
dinary cost of your Surveying Sys-
tem is the amount annually
appropriated for clerks for the ge-
neral service of your office, and
their compensation must be sepa-
rately estimated for, as they are paid
out of the appropriation relating to
the office work,

When stand the exigencies of
the public services imperatively demand

the employment of additional clerks for transcribing field notes for preparation at the Seat of Government an additional estimate must be made for them, accompanied with a statement showing the absolute need of such assistance.

In order to insure a timely compliance with these requirements, it is recommended that you commence the dynnosis immediately on the receipt hereof, making all the necessary additions from time to time up to the date of mailing the document and omitting nothing that may be necessary to facilitate the prodecution of the important duties of this office

You will report any suggestions which in your judgment will give greater efficiency to the System and insure economy in the public service and be careful to ask for nothing in any of your estimates that is not imperatively demanded by the public interests.

Very Respectfully
Your obd. Svt
Jos A Hendrick
Commissioner

## Circular

General Land Office
April 18th 1859

244. Wm Pelham Esq
Surveyor-General Santa Fe N. Mex.
Sir

You are hereby notified that the System of intermediate Supervision in the field of the Public Surveys which has been in practice for some years past in the several Surveying Districts and requiring an Inspection of certain

retained percentage on contracts where
with to pay such examinations having
found to work disadvantageously both
to the deputy Surveyor and the government
it is hereby discontinued by the depart-
ment from & after the 1st July next
It is not intended to dispense alto-
gether with the examination of the
Surveys in the future but it has been
determined the method heretofore pur-
sued by restricting Surveyors to the
mode prescribed in the provisions
made in the 10th section of an "Act
to provide for the public Surveys in
California" approved March 3rd 1853
1 Statutes at large Vol 10 page 248
to which upon are refined for your
information

The law just alluded to, provides
for occasional examination of the Sur-
veys while in progress in the field to test
the fidelity of the execution of the work
according to contract & special in-
structions and the expense of such
examinations being payable out of
the Surveying appropriations

The provisions of the law are plain
and specific, they are as follows:

1st The dependence is a duty on the Sur-
veyor General himself to be executed
personally, when it is possible for
him to do so within his ordinary
duties

2nd When absolutely incompatible
with other duties to devote the time
necessary to a personal inspection
of the works he may dispatch one
of his employees in this office and
2d When even this also be impracticable
he may assign the reasons of his in-
ability in other cases, and then, in
their contingency only, the law author-
izes him to dispatch a confidential
agent to make such examinations

as the occasional requirements of the surveying service may demand, but not for a larger period than the law prescribes, viz: thirty days; and each agent must enter into bond and adequate penalty for the faithful execution of the work. And the system to be adopted under the aforesaid law dispense with the indiscriminate examinations of the Surveys, you will in no case approve or report for payment the account of any Deputy Surveyor, until after you are fully satisfied of the correctness of the Survey and to each account you will append a special certificate that you are fully satisfied of the faithful & proper execution of the ....., stating whether you then certify from the imperfect evidence of the field notes of the survey or from actual inspection thereof by yourself or otherwise, and why & how the employees in the Surveyor Generals office should be such as to render the 3d alternative entirely unnecessary

I am respectfully your
obt. st.
J. H. Hendrickson
Comm'r.

Santa Fe. June 19. 1859.

245. Hon. J. M. Gallaway
Surveyor Gen'l.
Sir —

By agreement with the representatives of the Gallinas grant, &c. forms to the late Preston Beck jr. by the Surveyor Gen. I respectfully report as attorney for the People of the town of Anton Chico, that public notice be made for the investigation of

the latter claim on the 3d Monday the
20th day of June next.

Very respectfully
Your obt Servt
J Broughton
Atty for Custer Claim

Albuquerque
April 21st 1859.

246. Dear General

Enclosed you will please find my denunciation of the mine discovered by me a short time since if I have not reported the same to you properly please send me the proper form, also send me a copy of the laws of New Mexico and oblige me very much.

I wrote you at Washington last winter, but I presume your business was such that it prevented you from answering at that time. I should be pleased to hear from you at any time; write me please write me upon receipt of this and inform me whether the form I have sent you locating the mine is proper or not and sufficient to hold the same.

Yours Truly
John Donaldson

(Enclosed)

Know all men that it may concern
that I, John Donaldson, being an
American Citizen, having discovered
a mine of metal, called that of Tumacacori
situated in the mountain known as the
mountain of the Promontorio, County
of Dona Ana, Territory of New Mexico
the direction of said Mine is NE
being East and West and have
commenced work on said Mine

and vein under the General mining Law for its development on the 20th day of April one thousand eight hundred and fifty nine.

John Donaldson

We certify that the above mine and vein was located and discovered by John Donaldson and in accordance with the General Mining Law

John Denton Hall.
William his X Dewey
mark.

General Land office
April 23d, 1859.

947 Wm. Pelham. Esq Surv. Gen
Santa Fe New Mexico

Sir

By an act of Congress approved March 3. 1859. there were made the following appropriations for the Surveying services in your district during the fiscal year ending June 30 1860.

1st For continuing the Survey of the Meridian Standard parallel Monuments and section lines in New Mexico $ 20.000.

2d For compensation of the Surveyor General of New Mexico and the Clerk in his office . . . . . $ 7.000.

3d For rent of the Surveyor Generals office in New Mexico fuel, Books Stationery and other incidental expenses $ 3.000

The means provided under the first head you will apply towards the Country situate on the Canadian Fork of the Arkansas or Red River and that lying immediately west of the Principal Meridian from the Base line to the 3d Correction line North.

as these regions of your surveying dis-
tricts are reported to be better adapted
for agricultural and pasturage pur-
poses, than any other, and free from
Indian incursions, I readily concur
in your suggestion that a larger
portion of the foregoing appropriation
be applied to the former locality and
the remainder to the latter, taking
the precaution not to exceed the
twenty thousand dollars, appropriated
as aforesaid, while entering into
surveying contracts during the
next fiscal year.

Upon the reference to the act
of Congress approved Decr. 22d. 1858
confirming the land claims of
certain pueblos and towns in the
Territory of New Mexico, in which
you will find that, among other
provisions, it requires the survey
of all the claims confirmed by Congress
at the appropriation of $15.000 "for
surveying such of the private claims
in New Mexico as shall have been
confirmed by Congress, including
expenses incurred by the Surveyor
General in adjudicating the same"
approved June 12. 1858 has been
somewhat reduced and is liable to
further reduction by the liquidation
of additional expenditures properly
chargeable against the same, there is
folded the sum of $12.000 for de-
fraying the expense of surveying the
claims. You are thereby authorized
to make contracts for the survey of
the confirmed claims at not exceeding
$15. per mile, and of course at as
much less than that maximum
as can secure the services of com-
petent and faithful deputies, having
in view greater labor in surveying
one class of claims from that of

together, taking care to make your selection for the services the most scientific and efficient Surveyors. We allow that a maximum for similar surveys in California, and the Department in the exercise of a liberal spirit and to give ample means to secure the very best talent, deems it proper to extend the same to your surveying districts.

Let your instructions founded upon the original title as confirmed and the date fixing the locality of the confirmed claims the draftsmen with such particularity and care that each survey shall Embrace the precise tracts included in the confirmation.

The Surveys of the confirmed claims must show the exact connection of each claim with the contiguous public surveys and must be exhibited

1st. Upon the official township plats in connection with the lines of the public surveys and on those plats there shows be a table at the right hand side according to form A hereunto showing the date of the report of each claim, the area, the date of the confirmatory law, &c

2nd. In the case of the survey of each of such confirmed claims you must transmit to this office a particular approved plat of survey as the bases of a patent, that plat shows be accompanied by the field notes giving the lengths of the boundary lines, courses and distances, showing such a complete and perfect description of the tract, its area, township and range in which situated and date of confirmation, so that it may be embraced in the patent.

It will be your duty, first to survey and
separate from the public land such
of the Pueblos or individual claim-
ed claims as now fall within
the range of the public surveys and
then you will hereafter proceed
in that service by attending to the
localities of such confirmed claims
as are subject to the lines of the pu-
blic surveys, so that exact and
perfect connections therewith shall
be kept up, and the immediate con-
nexions properly made and closed
on the boundaries of the same,
when the lines of the public surveys
advance around them.

As respects the appropriation
under the 2d head hereinbefore
recited, and which consists of
three thousand dollars for your
own salary and four thousand
dollars for the regular clerks in
your office. I am of opinion
that the latter sum is inadequate
for the payment of all the clerks re-
quired to transact the business of
your office. The estimate which
accompanied your last annual
report, called for an aggregate
amount of $16,700. And this es-
timate was based upon an an-
ticipated appropriation of
$240,000 for prosecuting the
surveys in New Mexico during
the next fiscal year. But in as
much as the aggregate means
for the field operations in your
district for that period amount
to only $92,000, this office is
of the opinion that the sum of
$10,000 will be entirely sufficient
for the compensation of all the clerks
you will require, and is divided
as follows.

For regular clerks . . . . . $ 4 000
" clerks others than those provided
for in the organic act . . . " 4.000
" Janitor . . . . . " 2.000
$ 10.000

You will therefore proceed at once to re adjust the number, compensation and duties of the clerical force in your office, as to render the above sum of ten thousand Dollars sufficient for the wants of your office without exceeding it.

The pay of the Messenger and watchman of your office, estimated by you at $ 720.00 per annum is chargeable to the appropriation under the G.L. head hereinbefore alluded to.

Very respectfully Your obt Servt
Thos A Hendricks
Commissioner

General Land Office
May 6th 1859.

Sir

248 To enable this office to comply with the resolutions of Congress approved April 27th 1816 1st & 2nd July 1832. and the 1 & 2 Sec. of act of 3rd March 1837. requiring a list of the officers &c. connected with the public Service, exhibiting the State or Country in which each was born, and the State or Territory from which appointed, You are requested to advise me, without delay, of the place of your nativity and residence when appointed and that of each person in your employ, specifying the character of the duties discharged

by them, and the amount of their annual Compensation, to be inserted in the Biennial Register now preparing for publication Should there be any changes in your office prior to 30th Sept. next, you will advise this office accordingly

Very Respectfully
Your obt Servt
Wm A Kendrick
Commissioner

William Pelham Esq
Surveyor General
Santa Fe
New Mexico

Cotton Wood S.
9th May 1859.

249 Dear Sir

Please excuse me for not having your address. I had your advertisement, but have lost it.

If you please Sir, inform me by return mail, if practicable what registries have been made in your office of lands of the west side of Rio Grande from opposite Las Cruces downwards to the limit of your Territory also what Donations if any, or Pre-emption claims allowed by treaty or under the requirements of law excepting the two latter

I contemplate registering some land on that side of the River, and ask this information, because there are several Mexicans living on the River & I want to know who have claims (valid) & who have not. My opinion is however that a great number of them are only squatters on the

[illegible] land without any other claim than possession and that without being Citizen

I wish to avoid any legitimate claims - but any acres, such as described, I dont think should stand as a barrier in the way of any Citizen bonafide

Your Compliance with this request will very much oblige me

Respectfully

Your obt Servant,
Thomas Jr Sims

Direct letter to Fort Filmore

General Land office
May 14th 1854

257.

Wm Pelham Esq Surveyor Genl
Santa Fe N Mex.

Sir

I have your letter of April 14th on the subject of the accounts sent to Wm M. Garretson and Robert S. Kelley, Deputy Surveyors, and find that you do not understand the inquiries made by this office. It stated that the account sent by this office in both cases differed from the duplicate returns to those gentlemen respectively, according to the statement contained in Mr. Kelley's letter concerning his and the one forwarded by Mr. Garretson, after we had reported for payment the account we received from you. It would appear from the power of attorney executed by A. G. Whitman & W. W. Hunt Esq. of this city, that a similar discrepancy exists in his case. That document is dated, you observe, one month, the account subsequently, and authorizes Mr. Hunt to receive from the United States the sum of $ 6381.75. whilst the account sent us amounts to $ 6594.96.

You say (in reference to this account, that you caused it to be critically examined compared and revised and could find no correction to make", and yet there is an error which was very soon discovered by this office and the necessary correction made. As thus corrected and this day reported for payment, it amounts to $6595.24. The plats and transcripts of the field notes of these surveys transmitted with your letter of April 15th came to hand in good condition

Hereafter in addition to giving the month in which a township is surveyed, you will please enter the day of the month on the face of the plat selecting the day when the survey was completed. In preparing your field notes you will prefix thereto belonging to each township: with a little page showing the number of Township and Range and by whom surveyed, and the day when the work was commenced with the day of its completion, after the form hereunto set.

Very Respectfully &c

Thos A Hendricks.
Commissioner

General Land office
May 18th 1859.

257 Wm Pelham Esq.
Surveyor Gen.
Santa Fe. N. M.
Sir.

I have your 2 letters of April 14th transmitting three accounts of D. F. Battaile Dep'y Surveyor, for examining the surveys of Hodson Wilbur, Kelley & Clements and the Salary Accounts of yourself and clerks for the quarter ending March 31. 1859. all of which have been referred for

payment. with directions for the drafts to be disposed of according to request. On making out your clerks accounts under the new System of payment, it is not necessary for you to back them with any thing more than the name of the clerk, the amount of his account and date of your certificate and this rule you will strictly observe in the future

In regard to the account of M.C. Whiting, I have deemed it proper to report it for payment under the peculiar circumstances of the case, and to request the Department of the Interior to sanction my action in view of his having received no emoluments from the office of Postmaster at Santa Fe, during that quarter

Very Respectfully
Your obt Servt
Thos a Hendricks.
Commissioner

Head Quarters Dept. of N. Mexico
Santa Fe. N.M. May 22. 1859.

252. Sir

The Dept. Commander desires me to state to you that it is his intention if possible to have a reserve laid off for Fort Craig. For this purpose he has had a survey and map made of the proposed reserve, which I have the honor to submit for your examination, with a view of ascertaining if there is any conflicting claim to the land specified. In case there should be none, he requests you will prevent any location being made until the necessary instructions can be had from Washington.

I am very Respectfully,
Your obt Servt
John D. Wilkins Lt. 3. Inf.
A. A. Gen. & Ass. Adj.

Genl. W. Tolman
Surveyor Genl
Santa Fe N. Mex.

000

General Land Office
January 5th 1860.

Sir.

I have the honor to acknowledge the receipt of your note of this date requesting a leave of absence in behalf of the Register of the Land Office at Santa Fe, New Mexico and inasmuch as there is at this time but little business requiring his presence at his office, extends to him a leave to the 1st of April, &c &c.

Wm. S. Davidson
H. R.

Jno S Wilson
Actg. Comr.

General Land Office
June 3d 1859.

253. William Pelham Esq.
Surveyor General
Santa Fe. New Mexico.

Sir

In answer to your letter of May 7th enclosing an account of Wm H. Maurice Esq. of Philadelphia for merchandise furnished your office, and an account of Leonidas Smith for expense incurred in serving notices upon the Navajo mentioned therein, I have to inform you that I have this day reported the accounts for payment with a request that the bodies be sent as directed.

Very respectfully
Your Obt Servt
Jos. S. Wilson
Actg. Comr.

Commissioner's Letter of Aug. 19, 1872.

General Land office
June 8th 1859

254. Sir.

I enclose herewith copy of the plat of Survey of a tract of land about Fort Stanton New Mexico, reserved by order of the President, dated May 12th 1859. for Military purposes!

You are desired to note this reservation upon the connected diagram of your district, and to see that the same is properly laid down on the township plats when the Public surveys shall have extended to that part of the country. You will please acknowledge the receipt of this.

Very Respectfully
Your obt. Servt.
Jos. S Wilson
Acty Commr.

Wm Pelham Esq
Surveyor Genl
Santa Fe. N. Mex.

General Land office
June 4th 1859.

255, Wm Pelham, Esq.
Surveyor General
Santa Fe. N. Mex.

Sir, In answer to your letter of May 3d including an account of Deputy Clementson Docket for marking an examination in the field of the Surveys executed by B. E. Clements, D.S. under his Contract of August 31st 1858 I have to inform you that I have this day reported it for payment, with a request that a Draft in his favour for $152 may be sent to Messrs Hopkins, Harden & Kemp Baltimore Md. Very respectfully &c

Wm Milton
Acting Commissioner

No. 25½

No. 27

Copy.

Indian Superintendency
Santa Fe. N. Mexico
June 11th. 1857.

Sir.

Jno Pelham a surveyor general of New Mexico, under instructions from the General Land office at Washington City, is now about to commence the survey of the several Pueblo Land grants in this Territory that have received the action and confirmation of Congress.

In view of this service the Surveyor General has made a requisition upon this Superintendency for an Agent of the Indian department to be present with the surveying party, to settle, explain and adjust all questions of difficulties that may arise with the Indians in reference to the surveys as they progress.

We have at this time, as you are aware, an Agent for the Pueblos; Mr. Grist, their late Agent having left for the States. You are therefore placed in charge of this duty, for which purpose you will meet Mr. John N. Garretson, who is under contract with Jno Pelham to make the surveys in question at the Pueblo of Jemez, on Monday next the 13th inst.; where & understand the work is to commence. The Indians in most cases understand the object of these surveys, but where they do not it will be your duty to explain to them fully the intention of the government and that, as soon as the surveys are made and the plats forwarded to Washington a patent will issue from the General Land office, signed by the President of the United States confirming to them in fee, the lands contained in the original grant. By virtue of this Patent, the Indians will be able to have removed all persons found illegally occupying any portion of the land covered by the respective grants.

It will be your duty to cooperate with Mr. Forrelson in having permanent stones placed at all the corners, and other conspicuous points on the lines. Where suitable stones cannot be found at hand for those marks, you shall make it the duty of Ind'ans to furnish them. It will be the duty of the surveyor to place the marks in position with such characters thereon as will convey an intelligent understanding of the points indicated by them.

It may not be found necessary for you to remain constantly with the surveying party, but you shall not be absent when your presence is required.

It will be proper to advise the citizens who may be found illegally occupying any portion of the Indian lands, that it is the intention of the Government to have all such persons prosecuted as soon as the Patents are issued.

It will be your duty to report the progress of these surveys to this Department from time to time as they are made.

Very Respectfully
Your Obt Servt
D. L. Collins
Supt Ind Affairs
New Mexico.

Don Diego Archuleta
U.S. Indian Agent
Abiquiu.

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General Land Office
January 16th 1859

257. Sir

I am in receipt of your letter of the 6th December last stating that you would leave Santa Fe on the 13th inst on the leave of absence granted by the letter of this office dated the 6th October last, and that you had authorized your Chief Clerk to be Acting Surveyor General during your absence. — The letter of this office of the 6th

October last granted to you leave of absence for three months on the express condition that you will so arrange the business of your office that the public interests will not suffer by your absence. We took it for granted that you were aware that all official acts which require the signature of the Surveyor General must be attested by your own signature there being no authority vested in you by law to substitute any other individual to use your name for the purpose.

There is no such officer as Acting Surveyor General authorized by law or recognized by this office & by appointing your Chief Clerk Acting Surveyor General, you intended to confer on him the authority to exercise all the powers vested by law in the Surveyor General, & have to inform you that his signature as such will be regarded by this office a nullity, and therefore all papers transmitted here in your absence with the signature of the Chief Clerk in his name signed as Acting Surveyor General or in your behalf will be inadmissable and will have to have your signature as required by law, It is hoped, however, that you have made some arrangement for the proper authentication of your official acts as required by law.

I am Very Respectfully
Your Obt Servt
Thos A Hendricks.
Commissioner

William Pelham Esq.
Surveyor General.
Santa Fe New Mexico.

The date of this letter has been changed to 1859. instead of 1858. which is an error on the part of the Dept at Washington.

Fort Buchanan N. Mx,
January 8th 1859.

Genl Wm Pelham
Surveyor General. Terry of N. Mx.
Sir.

The Mexicans from Sonora were
2 58. cutting and carrying off the timber from this side of the line, and using it in Sonora — Some of the citizens complained of this and the authorities in Santa Cruz sent me the enclosed copy of title to be laid before you for decision as to their right to cut and carry off timber from the limits specified.

I would be obliged to you

for information on this point as both parties appeal to me

I remain &c.
Rich. S. Ewell.
Capt 1st Dragoons.
Comg Post.

General Land Office
January 8th 1859.

Sir.

Mr Garretson Deputy Surveyor in New Mexico
1859. intending to present his claim against the Government for compensation of his services for surveying the Military Reservation at Fort Thorn N. Mexico. to the War Department, made a request of this office to transmit to that Department, the documents forwarded by you here by your letter of the 29th of April last to wit. Copy of the transcript of field-notes & diagram of the survey of the reservation at Fort Thorn and his account for the same.

The request made by Mr Garretson was promptly complied with by this office and the documents above referred to were transmitted to the War Department, as appears by the letter of this office to the Secretary of War, dated the 8th of December last, It appears now that the communication of this office transmitting the papers as set forth above have never reached the War Department, and are not to be found. — You will therefore please immediately on the receipt of this letter, to transmit to this office certified copies of the field-notes & diagrams of the survey of said Reservation; and the account of Mr Garretson for surveying the same, to enable him to prosecute his claim as aforesaid. Only so much of the account of Mr Garretson as embraces the items for surveying the Reservation will be required to be made out & certified to.

I am Respectfully
Your Obt Servt
Jno A Hendricks.
Commissioner

Wm Pelham Esq.
Surveyor.
N. Mx.

General Land Office
January 21st 1859.

R. C. Clements Esq Dep. Surv.
Santa Fé. New Mexico.

Sir

260. I have to inform you, in reply to your letter of Sept 14th 1858. that your account for $449.72 for executing surveys in New Mexico under your Contract of March 13th 1858. which has been suspended on account of our not receiving the diagram of the survey of the exterior lines charged in said account, has this day been reported for payments, with a request that the draft in your favor for that amount be handed over to Wm Pelham Esq. Surveyor general

The request of your letter of December 11th, that the amounts due you for surveys executed under your Contract of August 31st 1858, be forwarded in a draft to J. J. Speigelberg New York City, has been complied with, The draft 10ns. for the sum of $7341.40

Very Respectfully
Your Obt Servt
Thos A Hendricks
Commissioner

General Land Office
January 19th 1859.

William Pelham Esq.
Surveyor General.
Santa Fe. New Mexico

Sir

261. I have to inform you that the account of Reuben C Clements, Deputy Surveyor heretofore suspended to await the receipt of a Diagram showing the survey of the boundary lines between Townships 14 & 15 & 15 & 16 North of Range 32 East and the Range line between Ranges 31 & 32 East of Townships 14 & 15 North and between Ranges 32 & 33 East of Townships 14 & 15 North, has this day been reported for payment with a request that a draft in his favor for $449.72

be sent to your address in this City, and that the account of Stevenson Archer for $1111.00 as examined of said surveys, has also been reported for payment, would request that the draft in his favor be sent to him at Santa Fé N. Mx. — An Examination of the field notes showed the number of miles of the above lines given in the account to be Correct, and, hence owing to the long suspension of these accounts, we have reported them for payment, without a receipt of the Diagram, Upon the receipt of this letter you will please have a diagram of the within mentioned lines prepared and forwarded with all practicable dispatch,

There were some errors in the account of Mr Clements which caused the reduction of his account from $4440.13 to $4419.72 and are to be found in the meanders of Tp 13 North Range 31 East — The bond of Mr R.E. Clements returned by you amended and Corrected, Contained no endorsement, as has several times been requested by this office, and the salary accounts of yourself and Clerks for the quarter ending December 31st 1858, have also come to hand without being endorsed or "briefed", As attention to matters of this kind is essential to the despatch of such business by this office I hope they will not be neglected hereafter.

I am Respectfully,
Your Obt Servt.
Thos A Hendricks
Commissioner

General Land Office
January 21st 1859

Wm Pelham Esq.
Surveyor Genl. Santa Fe. N. Mx.

Sir,

262. I am in receipt of copies of the original plats and transcripts of the field notes of the surveys executed by R. E. Clements Deputy Surveyor, under his contract of August 31st 1858 with his account for performing that service, transmitted with your letter of the 11th ults, and have to inform you that his account amounting to $7341.40 has

this day been reported for payment, with a request that the draft in his favor be sent to S. S. Speigelberg at Seligman & Stettheimer's 32. Vesey Street New York as requested by Mrs Clements in a letter of the same date

I am Respectfully.
Your Obt Servt.
Thos A Hendricks
Commissioner.

General Land Office
January 24th 1859.

William Pelham Esq.
Surveyor General.
Santa Fe. New Mexico

Sir.

2163. I have to inform you that the expences incurred by you in adjudicating private land claims in New Mexico during the 3d & 4th Qrs of 1855, as they appear in Vouchers 3 to 14 inclusive for the 3d & vouchers 4 for the fourth quarter, which were suspended at that time for want of an appropriation to meet such accounts, have now been allowed, and their aggregate amount, after directing the proceeds of the sale of the mule is $231.82, This sum I have reported for payment with a request that the draft in your favor may be sent to you at Washington City &c.

Very Respectfully
Your Obt Servt
Thos A Hendricks
Commissioner

General Land Office
January 25th 1859.

Sir.

2164. In order to prevent difficulties in the administration of the land system incident to discrepancies in date between the Original Township Plats in the Surveyor Generals Office, and those sent to this and the local land offices,
The object of this communication is to invite strict adherence to the rule of the Department requiring that each one of the three plats, viz. that retained in the Surveyor Generals office, that

sent to this office, and the one sent to the local land office. should invariably bear the same date.

Very Respectfully &c
Thos. A. Hendricks
Commissioner

Wm Pelham Esq.
Surveyor General.
Santa Fe, N. M.

General Land Office
January 21st 1859.

Wm Pelham Esq. Sur Genl
Santa Fé New Mexico.

Sir:

265. I have received your letter of the 31st ultmo transmitting the accounts of the Clerks in your office for the quarter ending December 31st; and have to inform you that they were all promptly reported for payment, with a request that the drafts be disposed of as directed by the parties interested at the foot of their accounts. A report was made at the same time in your favor for the amount of your own salary for that quarter, but as you were indebted to the United States in the sum of $364,44 when your salary account for the second quarter was adjusted, I have requested that amount to be carried by Counted warrant to the credit of the appropriation per act of 18th August 1856. "for Compensation of a Translator in the Office of the Surveyor General of New Mexico". and that the balance of your quarters salary $(385,54) be remitted to you at Washington City D.C. according to your verbal request

Very Respectfully.
Your Obt Servt.
Thos. A. Hendricks.
Commissioner

General Land Office.
January 26th 1859.

William Pelham Esq.
Sur Gen.l Santa Fé. N.M.

Sir,

266. I am in receipt of your letter of December 31st transmitting your Rent and incidental expense account for the quarter ending December 31st and have this day adjusted the same and reported it to the First Comptroller

of the Treasury for his decision thereon. It is perceived that for the two quarters ending on the above date, you expended $1240.85 for stationary, $100 00 for rent $310.00 for a messenger $170 00 for wood and $4.98 for incidentals, which is at the rate of $5.63 14 per year being a large excess over the appropriation. The organic act creating your territory allows you $4,000.00 per annum for regular Clerks and out of the appropriation for Compensation of Clerks in the offices of the Surveyor General to be apportioned" &c. passed June 12th 1858. there was apportioned to your office the sum of $4,000 00 for the present fiscal year. making a total for Clerks of $8,000 00, The account received from your office for Clerk hire for the quarter ending December 31st 1858. amounted to $3.295 00 which is equal to an annual expenditure of $13,100 00 and the amount of their accounts for the third quarter. was $2.775 00 equal to an annual expenditure of $11100 00, This last sum is in excess of the funds alloted to your office to the amount of $3,100 00 and as a necessary consequence they will soon be exhausted, and your office left without the means of paying the salaries of most of your Clerks. for some months of the present fiscal year If the Surveyor General be allowed to expend a larger amount of funds than the appropriations of Congress and the apportionments of this office, it follows of a matter of course that all their offices must suffer under embarrassments for a portion if not the whole of each fiscal year, It being one of the prerogatives of this office to control all such expenditures in the office of the Surveyor General, We shall expect you to curtail your disbursements in this Connection to the Standard of the appropriations and apportionments, and as the surveys executed in your district have been quite limited during the present year, and will not be extensive during the coming year, this retrenchment in your office can be made without the slightest detriment to the public interest, In the offices of the other Surveyors General where extensive surveys have been prosecuted for some years past, the cost of Clerk hire has never equalled that of your office during the last two quarters. With the single

exception of California, and as the policy of the Government is known to you to be based upon economy in the public expenditures, it is expected that you will strictly conform to it in every case.

I am respectfully.
Your Obt Servt
Thos A Hendricks
Commissioner

General Land Office
January 21st 1885.

William Pelham Esq.
Sur General. Santa Fe. N. Mex.

Sir.

267. Referring to our letter to you of the 21st informing you of the adjustment of the accounts of the clerks employed in your office for the quarter ending Dec^r 31st I have to inform you that it has been decided by the Department, that the Treasury drafts, can be issued in favor of no persons except those who performed the services; and that as a necessary consequence, the drafts for the accounts of your clerks will be issued in their favor and sent to them at Santa Fe, and not in favor of Mrs L. J. Speigelberg of New York City. By reference to the letter from this office of December 17th 1885, you will observe that you were there informed that no assignments of accounts by Dep^y Surveyors, or others could be recognized by the Department If any of your Clerks, or Deputy Surveyors, wish to make their accounts payable to other parties, they must place in the hands of the latter Powers of Attorney legally executed, authorizing them to collect and receive the amount of the same, and then, through the drafts be issued in favor of the parties to whom the accounts are due, there will be no difficulty in the collections of them on the part of those holding the Powers of Attorney.

Very Respectfully.
Your Obt Servt
Thos. A. Hendricks.
Commissioner

Treasury Department
Comptroller's Office
January 5th 1859

Wm Pelham Esq.
Surveyor General of New Mexico.
Santa Fé. New Mexico.

Sir

268. Your accounts as Surveyor General of New Mexico on account of Office rent. Fuel & incidental expenses for the 4th quarter 1858 have been formd at the Treasury and a balance of $790. 14 found to be due to you by the United States, as stated by you.

Respectfully
Yours.
M Meriwether.
Comptroller

General Land Office
February 10th 1859.

William Pelham Esq.
Surveyor General
Santa Fe. N. Mx.

Sir.

269. I am in receipt of the letter from your office of January 4th returning the Contract of A. P. Wilbar, dated September 7th 1858 with the alterations and amendments required by this office

Very Respectfully.
Your Obt Servt
Thos. A. Hendricks.
Commissioner.

General Land Office
February 14th 1859.

William Pelham Esq.
270. Surveyor General.
Santa Fe. N. Mx.
Sir.

I am in receipt of the letter from your office dated January 9th, transmitting the accounts of J. F. Battaile, Deputy Surveyor, for Examination of the surveys executed by Messrs Kelly, Wilbar & Clements under their respective Contracts, and the letter of the same date transmitting the account of Stevenson Archer-

D. S. for examining the surveys executed by R. C. Clement D.S. under his Contract of September 7th 1858.

I also have the letter from your office dated January 15th transmitting diagram, Copies of plats & transcripts of the field notes of the surveys executed by A. S. Wilbar D.S. under his contract of September 7th 1858. with his accounts for performing the services, The account diagrams, plats and field notes are herewith returned in order that the certificate of the Surveyor General may be attached thereto in accordance with law and the instructions of this office. and some Corrections and amendments made to the former. The account of Stevenson Archer purports to be for Examination of the surveys of R. C. Clements under Contract of September 7th 1858 and one of the accounts of J. F. Battaile is for examining the work of R. C. Clements, executed under his Contract of August 31st 1858. Now, as Mr Clements has no Contract on file in this office dated September 7th 1858, it appears to us that Mr Archer must have Examined the surveys of A. S. Wilbar under his Contract of that date.

According to the accounts sent, two different deputies Examined the surveys of Mr Wilbar or Mr Clements. and it is for your investigation of the matter to determine which. After Correcting those errors you must show in the accounts of the Examiners what portion of Mr Wilbars or Mr Clements' surveys each one examined by briefly describing the extent of the same, and adhere strictly to this rule in preparing all future accounts of the examiners of surveys.

Messrs Wilbar, Archer and Battaile request drafts to be issued in favor of Hopkins, Harden & Kemp of Baltimore City, but as you have already been informed such requests cannot be complied with, Consequently they will have to forward Powers of Attorney to Messrs Hopkins, Harden & Kemp (if they desire their drafts to be sent to three gentlemen new) in order to enable them to draw the money.

Your attention has been called on several occasions to the necessity of transmitting the transcripts of the field notes of surveys in a "good Condition" for safe-keeping and preservation by Carefully. them to be written with a sufficient marginal space for the use of tape or twine in

securely fastening them together at the sides in book form according to the practice of other Surveyor Generals' offices. The last lot received was sent in detached sheets and, in some instances, only half sheets causing much trouble to this office in fixing them up for binding, As your Quarterly incidental expenses accounts show your office to be abundantly supplied with all the material necessary for having the transcripts of field notes prepared & sewed according to our repeated instructions, I trust that this office will not again have to call your attention to infractions of this nature,

In framing the accounts of your deputies, there is no necessity of calculating anything more than the aggregate number of miles surveyed at the price allowed per mile, and in order that the direction for the destination of their drafts may not be overlooked, it should be written at the foot of their accounts with as few words as will answer the purpose, Letters from them in reference to their drafts, will be rendered unnecessary by adopting and adhering to this rule,

I am Respectfully.
Your Obt Servt.
Thos. A. Hendricks.
Commissioner

General Land Office
February 16th 1859.

William Pelham. Esq.
Surveyor General
Santa Fe. N. Mo.

Sir:-

271 The account of Reuben C. Clements for surveys executed under his contract of August 31st 1858, transmitted to this office by you, amounted to $1341.40, and on comparing the same with the approved plats of the surveys, we found it to be correct. The account for the same surveys sent to Mr Steigelberg of New York was $1.338.89 for drawing which amount Mr Clements had executed him a power of Attorney, The draft we directed to be sent to him was for $1341.40 and the con-

sequence of the discrepancy between the two accounts was much trouble to Mr Speigetery in obtaining his money. The accounts sent to this office and Mrs John W. Garretson for the surveys executed by Garretson and Dix. under their contract of January 26th 1858 differed more than twenty Dollars and there was also a discrepancy between the accounts sent to this office and to Mr Robert P Kelley at Palmyra Missouri. for the surveys he executed under his Contract of August 9th 1858., As the accounts sent to this office were not changed by the discovery of any errors in the computation of the surveys, the discrepancies are not understood Your attention is called to them, and an explanation desired.

Very Respectfully.
Your Obt Servt
Thos A. Hendricks
Commissioner

General Land Office
February 22. 1859.

Sir.

272. The President of the United States has appointed you by, and with the advice and consent of the Senate, Surveyor General, for the Territory of New Mexico, for four years, from the 16th February 1859 or otherwise, see sec 10, Act 3d March 1853. Laws. page 247. and I herewith transmit you a commission as such, bearing the 18th February 1859. with a blank form of bond to be executed by you with two or more good and sufficient securities, in the penalty of Thirty thousand dollars. The sufficiency of sureties must be certified by the United States District Judge or Attorney.

This bond is to be dated, and the names of the principal and sureties in the body of the bond, and also the names of the witnesses, when signed, are to be written out in full

The place of residence of each surety must be designated in the body of the instrument. A separate seal, affixed with a wafer, must be fixed opposite to the signature of the principal and of each of the sureties; and each of such signatures is to be attested by two witnesses and the residence of each witness must be designated opposite to his signature. The affidavits of your sureties as to their responsibility will accompany the bond.

Care should be taken that no erasures or mutilations of any kind be made, and, if made all such will be stated and certified before signing;

The oath required by law, to support the Constitution of the United States, and well and faithfully to execute the trust committed to you must be taken by you, and endorsed on the bond If that oath be taken before a Justice of the Peace, a certificate of magistracy under seal should accompany it The oath and bond are to bear the same date. When the bond is executed in strict conformity to the prescribed formalities (which you will be careful to see is the fact) you will transmit it to this office by mail, under a sealed envelope

Please acknowledge the receipt of your commission without delay, and transmit your bond to this office as soon as possible

Very Respectfully.
Your Obt Servt
Thos A Hendricks
Commissioner

Wm Pelham Esq.
Surveyor General
Santa Fe
New Mexico.

Note:- Your sureties must qualify in double the amount of the penalty of the bond, and in accordance with the accompanying printed forms.

Indian Superintendency.
Santa Fe. New Mexico
June 11th 1859.

Sir,

I have the honor to enclose a copy of the instructions given to Agent Archuleta, who has been detailed to accompany the surveying party under Mr Pelham in the survey of the Pueblo Grants now about to be commenced.

Very Respectfully,
Your Obt Servt
D. L. Collins
Supt Ind Affairs
N. Mexico.

273.
Rec'd June 20.

Genl Wm Pelham
Surveyor General.
N. Mexico

General Land Office.
June 24th 1859.

William Pelham Esq.
Surveyor General
Santa Fé!
New Mexico.

Sir.

I have received your
274 letter of the 20th ults transmitting 13 township plats of surveys in New Mexico, intended to take place of those heretofore sent here and deficient in numbering of such tracts of land as cannot be described according to their relative positions in the respective sections nor properly designated as quarter-quarters.-

On inspecting the said plats, Viz:- Tp 20 S. R.s 1 & 2 W. 17 & 21 S R 2 E.s 18, 19, 20, 21 & 23 S R 3 E; 23 S R 5 E. 19 N R 4 E.: and 13 N R.s 31 & 32 E. I find only one plat to wit: 20 S R 2 W. correctly numbered and have therefore placed it on file in this office and the other twelve plats are returned to you for the necessary remendations mostly in the extreme northern & western tiers of quarter sections. The diagram B accompanying "Manual of Surveying Instructions" prescribed according to law on the 22d Febry 1855, is the sample, and your draughtsman must adhere to it in every particular applicable to the surveys in New Mexico. Copies of the Manual have been heretofore sent you and by this mail I transmit you one copy of the same document and refer you to pages 25 & 26 thereof as well as to Diagram B herein before alluded to, and request you to see that your future returns of the surveys be made in conformity with the requirements in the Manual

I am Very Respectfully.
Your Obt Servant
Jos. S. Wilson
Acting Commissioner

Department of the Interior
Washington, June 25/54

Sir

2/5 I have carefully considered the case of David Y. Whiting which was submitted with your report of the 17th ultimo. From that report and the letter of the 1st Auditor, it appears that Mr Whiting, during the 1st quarter of 1853, was Chief Clerk in the office of the Surveyor General of New Mexico, and the amount of his salary for that quarter was $525.00 He was also Post-Master at Santa Fé and his commissions as Post-Master during the same quarter amounted to $133.38 and the question which is suggested is, whether he may or may not receive the compensations of both offices for that period of time, My opinion is, that he is entitled to both compensations, The pay or emoluments of both offices are fixed by law & regulation & provided for by appropriations, and only, one of these compensations is a salary, The receipt of both, therefore, by one individual does not come within the prohibitions by the Acts of Congress of 1839- 1842- or 1850. And as the annual salary or compensation of neither of the offices so held amounts to $2,500. the act of Congress of August 26th 1852, does not apply

The papers in the case are now enclosed.

Very Respectfully.
Your Obt Servt.
Commissioner of the Gen'l Land Office
A Thompson.
Secretary.

General Land Office
June 28th 1854.

William Pelham Esq.
Surveyor General.
Santa Fé, New Mexico.

Sir

2/6 For the information of yourself and your Chief Clerk, David Y. Whiting Esq. I herewith enclose to you a copy of the report made by the Hon Secretary of the Interior on the matter submitted by this office for his consideration, which was the question whether Mr Whiting could receive the emoluments of the office of Post-Master at Santa Fé in addition to the salary of Principal Clerk of your office, You will perceive that this question has been decided

in the affirmative

Very Respectfully:
Your Obt Servant
Thos A. Hendricks.
Commissioner.

Indian Superintendency
Santa Fe. N. Mo.
July 7th 1859.

Sir.

Your note of this morning, advising me of the capture of Deputy Surveyor Clements, and his party, by the Comanche Indians, is before me. It is my intention soon to visit the section of country in which C & C Clements has been prosecuting his surveys, and I am instructed by the Indian Department to hold a talk with the Comanches providing they can be met within the limits of New Mexico: when the subject of the non-interference with your surveying parties will be urged upon the Indians Col Clements was advised before leaving Santa Fe' of the necessity of an escort of troops for his security while prosecuting his work near the Texas line This is his only protection for you are aware that a "talk" with the Indians places them under but little restraint when they feel disposed to commit an act of violence, The Military it would seem to me, is the proper source to look to for protection in such cases.

277.

Very Respectfully.
Your Obt Servt
L. L. Collins
Supt Ind Affairs
N. Mexico.

Genl Wm Pelham
Surveyor General
N. Mexico

General Land Office
July 8th 1859.

Wm Pelham Esq. Surv Genl.
Santa Fe. New Mexico.
Sir—

278. I have to inform you. in reply to your letter of June 12th, that I have this day requested the Secretary of the Interior to cause a requisition to be issued in your favor for the sum of $1500 00 to enable you to pay the rent and incidentals expenses of your office for the 3d & 4th Quarters of the present year, and that the draft for the amount be sent to S. D. Spiegelberg Esq 32 Pearl Street. New York. I have also this day reported for payment. Your salary account for the quarter ending June 30th, with directions for the draft to be sent to the Same gentleman, as you request.

I have further to acknowledge the receipts of Your letter of June 15th enclosing Contracts Nos 16 & 17 with R. P. Kelly & John W Hagar & Reuben C Clements, for surveys in New Mexico under the appropriation of March 3d/59

Very Respectfully
Your Obt Servt
Thos. A. Hendricks
Commissioner

Hatchet Ranch
July 10th 1859.

Sir.

279. Under our contract of May 31st we proceeded to the Canadian Fork of the Arkansas River to execute the surveys Contracted for. On the 30 inst the Comanche Indians came to our Camp; took all our men prisoners and possessed themselves of all our provisions, Clothes &c. After having held a Consultation whether they should take our lives also, they determined to liberate our party on condition that we would leave the country in one hour and not return to do any more work. This promise we were compelled to make in order to save our lives
We deem it to be Exceedingly dangerous

at the present time to continue working at the place required by our Contract and therefore respectfully request that you will allow me to relinquish the portion of it which has not yet been completed.

Very Respectfully

R. C. Clements
F. Archer
Dep. Surv's

William Pelham
Surv. Genl. of New Mexico

General Land Office
July 27th 1859

William Pelham Esqr
Surveyor General.
Santa Fe. N. M.

Sir.

280 I have your letter of May 7th informing this office that you had forwarded through Messrs Hall & Porter of Independence. Missouri their account for freight and charges on one case of blank record books carried from Philadelphia to Santa Fe for the use of your office in the adjudication of private land claims. Though the charges appear to be very extravagant. I have reported the account for payment. presuming it was the best possible arrangement you could make. I discover that the account of Messers Hall & Porter was made out in your office by one of your Clerks. In future you will cause all such accounts to be prepared by the parties with whom you contract them

Very respectfully
your obedient Servant
Jas. L. Wilson
Acting Commissioner

General Land Office
August 1st 1859

William Pelham Esq
Surveyor General
Santa Fe. New Mexico

Sir

281 I am in receipt of your letter of July 2 ove enclosing the accounts of your Translator and

Clerks and Draughtsmen for the quarter ending June 30th and have reported them for payment with directions for the drafts to be disposed of as directed by them These accounts amount to the aggregate of $3725. for the quarter or within a fraction of $15.000.00 per annum. notwithstanding you were directed by our letter of the 26th of Jan- uary last to reduce these expenses to the sum of $10.000 per annum. the sum allowed you by acts of Congress and our apportionment In view of the fact that but few Surveys have been prosecuted in your District during the last fiscal year and scarcely any within the last six months I cannot see how you found steady employment for so large and expensive a clerical force and as your surveys will be very limited during the present year and will not probably be much increased hereafter, the aggregate of $10,000.00 provided for paying your Translator Clerks and Draughtsmen during the present fiscal year, is deemed a very liberal allowance indeed. you are therefore hereby ordered forthwith to diminish your clerical force as heretofore directed so as to keep within the maximum of $10,000 allowed for the whole year. and reduce the expen ses as much below that maximum as you can Consistently with the public interest and sound economy. Your efforts should be directed to Conducting the business of your office upon as economical a scale as possible. and should therefore incur no expense under your rent account nor employ any officer. that are not imperatively demanded by the public necessities. you will at once acknowledge the receipt of this letter informing us what you have done pursuant to the same and reporting the name salary and particular duties of such clerks and Draughtsmen as you design retaining in the service of your Office

Very Respectfully
Your Obedient Servant
Jos S Wilson
Acting Commissioner

General Land Office
August 4th 1854

William Pelham Esq
Surveyor General
Santa Fe, N.M.

Sir

282 I have received your letter of June 25th with a voucher of $100 00 paid by you to Competent Counsel to asist you in the investigation of a case which you describe as a claim to a large tract of land Containing over two Millions of acres which was presented a Short time since for adjudication and convening lands which have been - Surveyed and the plats approved and transmitted to this office you add that this Claim purports to be a grant made only a few months previous to the transfer of the Sovereignty of the Country from Mexico to the United States and action was had upon it ever after the Cession Even with this prima facie showing you have made it seems to me you could have little difficulty in Coming to a just Conclusion in Regard to such a claim and making a report thereon as Contemplated and ordered by the eighth Section of the act of July 22nd 1854
In legal Contemplation the Surveyor General unaided by Counsel is adequate to the duties devolved upon him by the Statute and as there is no authority of law for any such payment as that indicated by the aforesaid Voucher it is disallowed and rejected
In this connection I call upon you for a full and detailed report with a copy of the grant names of grantees all the evidence names of Counsel Claiming and under what pretence the claim is alleged to have been made

Very Respectfully
your Obedient Servant
Jos. S. Wilson
Acting Commissioner

General Land office
August 6th 1859

William Pelham Esqr
Surveyor General
Santa Fe. N.M.
Sir

283 Your letter of the 5th ult. transmitting Contract No 18 entered in to with John W Garretson Deputy Surveyor for the Survey of Pueblo grants and Private Land Claims which were Confirmed by Congress on the 22d Decr 1858 has been received

very Respectfully
Your Obedient Servant
Jos. S. Wilson
Acting Commissioner

General Land Office
August 8th 1859

Wm Pelham Esq
Surveyor General
Santa Fe, N.M.
Sir

284 From your letter of the 9th ult,- received since mailing ours of the 1st instant- I percieve that you think the amount apportioned for the clerical force of your office for the present year is insufficient that the Land claim Dept. has not been allowed any clerk that the field notes of the Surveys are not systematized and having accumulated to an extent causing great delay in finding particular Surveys when required and that being anxious to keep up the office work with the progress in the field you request that $4.900 be apportioned in addition to the $10.000 alloted to your office by our letter of April 23d ult 1859 when you were directed to proceed at once to so adjust the number Compensation and duties of the clerical force as that the said amount be quite sufficient

While expecting the evidence of your compliance with the foregoing. I am surprised at the contents of your letter to which this is the reply and to yours of the 7th ulto enclosing a list of the Employes who will be in service on the 30th Sept. 1859. from which. I find

| | | | |
|---|---|---|---|
| 1st | Chief clerk at the rate of | | $2.100.00 |
| 2d | Two compntors | $1.800 each | 3 6.00.00 |
| 3d | Translator | | 2.000.00 |
| 4th | Draughtsman | | 1.800.00 |
| 5th | Three copyists | @ $1,800 each | 5.400.00 |
| | | Total | 14.900.00 |

Thus showing your disposition to disobey the repeated injunction. not to exceed the amt allowed for the clerical force in your office

To set you right at once - and point out the way of retrenchment with the view of bringing the clerical service within the $10,000 apportioned as aforesaid, I have to prescribe the following compensation for the same which must not be deviated from to wit

1st Reduce Chief clerks salary from $2,100 to $2,000

2d Dispense with the services of the two compntors of areas altogether the services for which you pay them belong properly to the Draughtsman and they are not as onerous. or difficult as those in other Surveying Districts where the surveys are much more Complicated and on a much greater scale than in your District

3d Maintain Translators salary @ $2.000

4th Draughtsmans " " 1,800

5th Reduce the Salaries of 3 copyists from $1,800 to $1,400 each 4.200

Thus making the aggregate Compensation of your clerks. Draughtsman & Translator whose duties should be extensive with the public service under your Control - for the year ending 30th June 1860 $10,000. with this force it is expected that no arrears in the Office work will be sufferer to accumulate and that even this

expenditure of $10.000 you will reduce
as soon as it can be done compatible
with the public service
Upon the receipt hereof you are requested
to transmit here a new list of the
Employes in your office in lieu of the
one received with your letter of the 7th ult,
which is in conflict with our
instructions of the 23d April last

Very Respectfully,
Your Obedient Servant
Jos S Wilson
Acting Commissioner

General Land Office
August 9th 1859

William Pelham Esq
Surveyor General
Santa Fe New Mexico

Sir

285 I am in receipt of your letter of July 8th
enclosing the account of your receipts and
expenditures under the appropriation for rent of
the Surveyor Generals office in New Mexico &c
for the two quarters ending June 30th 1859
and asking that the balance due the Surveyor
General of $1130.17 may be charged to the
appropriation for surveying such of the private
claims in New Mexico as shall have been
confirmed by Congress "&c on the ground that the
regular appropriation of three thousand dollars
for paying the rent and incidental expenses
of your office is inadequate for that purpose
In reply I have to say that this office claims
not only the right of judgement over such
matters but the ability to judge correctly and
impartially For more than a year past it has
been manifest to us that you have been
indulging in lavish expenditures on account
of the rent and incidental expenses of your
office and in our letter to you bearing date
January 26th 1859 we instructed you
by implication if not in positive terms

to reduce those expenditures at once As you have chosen to disregard those constructive instructions and to presist in your demand for extravagant expenditures under the said appropriation the time has come for this office to speak to you in language which can be neither mistaken nor misunderstood

Judgeing from the quantity of Stationery you purchased according to the vouchers returned for the 3d and 4th quarters of 1858 and the amount we paid Mr Wm H Maurice of Philadelphia for Stationary purchased in the 1st quarter of 1859 you had on hand quite enough to answer your purposes for two years at least without making the additional purchases to be found in vouchers 4 & 5 After summing up the expenditures an account of Stationery carpeting &c as shown by the bills of Messrs Beck & Johnson & Wm H Maurice I find that they exceed the expenditures in the same connection of the Surveyor Generals offices of Wisconsin & Iowa Kansas & Nebraska Illinois & Missouri Minnesota Louisiana and Florida during the same period of time taking them all in the aggregate I'm at least three of these offices a far larger amount of busines has to be transacted them in yours. and hence there can be no real necessity for the demands you make upon this office for such repeated purchases brought to light by the bills of Messrs Beck & Johnson and Wm H Maurice now in our possession Having closely canvassed all of them and found your office most abundantly supplied with every article for which it could possibley find a use for months yet to come before you made the purchases in vouchers Numbered 4 & 5 transmitted with your letter of July 8th the said accounts and vouchers are hereby rejected and disallowed and your entire account and accompanying papers in order that you may prepare and forward it anew with the exclusion of the said vouchers. The sum of three thousand dollars provided by the organic act for the rent and

incidental expenses of your office is regarded not only as ample but a very liberal allowance and instead of granting you the use of any more funds for such a purpose it is our opinion that the exercise of a proper Spirit of economy on your part would leave a part of the regular appropriation unconsumed

Very respectfully
your Obedient Servant
Jos S Wilson
Acting Commissioner

Providence Rhode Island
August 17th 1859

2,86 Dear Sir

On the 17th December 1858 I forwarded you for record in the Land Office a copy of the title of the Sopori estate in the so called Gadsden Purchase. a Arizona A party of engineers will leave here in a few days for Arizona for the purpose of making a survey of this estate to effect which the document sent you will be necessary I have therefore to request that you will do me the favor to transmit the title a document refered to. to James H Mc Goffin Esq El Paso for Col. W. B. Sayles

2,8

and oblige
your Obedient Servant
John. R. Bartlett

To the Surveyor General
of New Mexico
Santa Fe

Santa Fe N. M.
August 18th 1859

2,87 Sir

Under instructions from you of the 12th July last I Repaired to the Surveying Camp of Messrs Robert P Kelley and John H Hagar for the purpose of examining their Surveys under Contract from you of May 31st 1859 I found Mess Kelley & Hagar

2,8

engaged in running and marking
Exterior Township Boundary lines for the
Townships lying North of 3d Correction line
North embrasing the lands in the vecinity
and on the Rio Concha and Colorado. I Carfully
examined their lines and land marks and
found their work done agreeably to law and
General instructions to Deputy Surveyors
The Subdivisions of Said Townships and
the Meander lines are also executed
according to law & instructions

I have the honor to be
very Respectfully
your Obt Servt
Alexander. P. Wilbar
Deputy Surveyor
& Examiner of Surveys

Wm Pelham Esq
Surveyor General
of New Mexico

Circular

General Land Office
August 18th 1859

Sir

Transmitted by mail to your address
for the use of your office is Vol 11 Statutes at
Large the receipt of which you are requested
to acknowledge

Very Respectfully
your Obt Servt
(signed) Jos. S. Wilson
acting Commissioner

To Surveyor General
at Santa Fe
N. Mexico

Tubac Arizona
September 1st 1859

Gen'l Wm Pelham
Surveyor General
Santa Fe
N.M.

Sir

Annexed please find description
of Silver Mine which please have registered in
your Office & enclose me certified Copy of Same at
this place

and Obliged

Very Respectfully
your Obt Servt
C. Beaubien Brevoort

N.B. The ore in this mine is worth from $7.40 to $2800 per ton and a mountain of it

Know all men by these presents that we Elias Brevoort George D Mercer Christopher C. Dodson George W Redding Robert Phillips Have this day taken possession of a Silver mine Situated South West of the Cieva Colorado "Mine Which is owned by the Sonora Exploring & Mining Company' about two Thirds (2/3) of a mile The General direction of the Main Vein is about East & West there are now five (5) veins discovered which are claimed & held by the undersigned. the Extent of other veins not being Known Should there be more veins discovered upon the usual quantity of land allotted to such mines the Company Claim the right & title to them by possession. It has been greed by mutual Consent of the parties interested that the mine Shall be named the Redding Mine as the discovery is Entirely new & unknown before

Signed
Done at Reventon Ranche
August 29th 1857

Elias. Brevoort
George. D. Mercer
C.C. Dodson
Geo W Redding
Robert Phillips
H. T. Titus
Henry. Jenkins

General Land Office
September 9th 1859

Sir

2.90 I have to acknowledge the receipt of your letter of the 15th ult transmitting to this office the Synopsis of the report of the operations of your office from Sept 1st 1858 to date as required by instructions

I am very Respectfully
Your Obt Servt
Jos. S. Wilson
Acting Commissioner

William Pelham
Surveyor General
Santa Fe New Mexico

General Land Office
September 16th 1859

Wm Pelham Esqr
Surveyor General
Santa Fe, N.M.

2.91

Sir

Your letter of the 11th ult. transmitting Copy of letter of Messrs Clements & Archer of July 10th 1859 asking to be released from their Contract No 17 of May 31st together with Contract No 19 of 13th July last with said Deputies in lieu of that of 31st May has been received and your action therein approved by this office

Very Respectfully
Your Obedient Servant
Jos S Wilson
Acting Commissioner

General Land Office
September 16th 1859

William Pelham Esq
Surveyor General
Santa Fe New Mexico

Sir

2.92 I am in receipt of your letter of the 22nd August transmitting plats and field notes of the survey of the exterior and subdivision lines of Townships 14 North of Range 30 & 31 13 North of Range 33 East & South boundary of Township 15 North of Range 31 East executed by R.E. Clements and Stevenson Archer under their Contract of May 31st 1859 and their account for performing the service amounting to $2034.40

I have to call your attention to the diminutive and ill-shapen figures on your plats showing the length of the Exterior and subdivision lines and request your attention to this matter.

for the purpose of effecting some improvement
you will also cause your draughtsman to
write at the foot of each column of meanders
the sum of the same
On the plat of Township 14 North of Range 30
East I find the length of the last mile of the
Western boundary entered as 80.16 chains where
it appears in the field notes as 80.61 chains
and the latter is what it should be on the
plat according to the sum of the Northern
and Western boundaries entered on the plat
The many similar small inaccuracies heretofore
detected on the plats transmitted from your
office viewed in connection with this shows the
necessity of a close and critical examination of
each one before giving it your approval
I have to call your attention to the last para-
graph of our letters of Dec 21st 1858 & Feby
14th 1859 and to inquire why those instructions
were overlooked when transmitting your last
accounts The account of Messrs Clements & Archer
has this day been reported for payment with a
request that their draft be sent as directed

Very Respectfully
Your Obedient Servant
Jos S Wilson
Commissioner

Camp on Rio Grande N.M.
Septr 20th 1859

Wm Pelham Esq.
Surveyor Genl of New Mexico

Sir

As it now
appears evident that I shall not be
able to finish my Contract entered into
June 10th 1859 before winter sets in
this is to ask your permission for me to
relinquish the survey of the Pueblos of
Santo Domingo San Felipe and Sandia and
the private Luna Claim of Chilili.

Respectfully
John W Garretson
Deputy Surveyor

See No. 3449 for another letter of Sept 16, 1859

293

General Land Office
September 26th 1859

Wm Pelham Esqr
Surveyor General
Santa Fe, N.M.

Sir

74 Your communication of the 22d ult transmitting the account of John Garretson Deputy Surveyor with approved plats & copies of field notes of the Survey of the Indian pueblos has been received Many irregularities have been discovered in the returns and to correct which it is deemed necessary to send the papers back to you so soon as the requisite samples are prepared in the mean time you are informed that there is no necessity whatever for the meandering of Streams passing through the pueblos and no payment can be made for any charges made by the Surveyor for that kind of work you will take the earliest opportunity of advising your deputies in regard to that species of the work. Make no further returns of the pueblo Surveys until you receive our reply to your letter of the 22d ult

Respectfully &c
Jos S Wilson
Acting Commissioner

General Land Office
October 3d 1859

Wm Pelham Esqr
Surveyor General
Santa Fe, N.M.

95 Sir

I have to acknowledge the receipt of your letter of the 12th ult transmitting your annual Report, Estimates and a portion of the documents to accompany the report contained in thirteen packages and one Roll of Plats

Very Respectfully
your obt Servt
Jos S Wilson
Acting Commissioner

General Land Office
October 15th 1859

296

Sir

I have to acknowledge the receipt of your letter of the 17th ult transmitting certain documents therein enumerated. also triplicate of your annual Report which you state were not completed in time to transmit by the last mail

Respectfully
your obt Servt
Jos S Wilson
Acting Commissioner

Wm Pelham Esqr
Sur General
Santa Fe
New Mexico

General Land office
October 15th 1859

William Pelham Esq
Surveyor General
Santa Fe New Mexico.

Sir

297

Your Salary account for the quarter ending the 30th ult was reported for payment on the 1st inst with a request that the draft be sent to S. L. Spiegleberg Esq 32 Vesey Street New York City

Very Respectfully
Your Obedient Servant
Jos. S. Wilson
ac
Commissioner

General Land office
Nov 10th 1859

Sir

298

I am in receipt of your letter of the 28th Sept last enclosing the notice & Schedule of documents Composing Claim No 30 and agreeable to request they have been filed with the papers in the case William Pelham Esq

I am Respectfully
your obt servt
Jos S Wilson
Acty Commissioner

Surveyor General
Santa Fe N.M.

General Land office
November 10th 1859

William Pelham Esq
Surveyor General
Santa Fe, N. M.

Sir

299 I am in receipt of your letter of the 6th inst transmitting plats and transcripts of the field notes of the Surveys embraced in the accompanying account which were executed by Robert P Kelley & John. W. Hagar Deputy Surveyors under their Contract of May 31st 1859 and finding their account correct I have this day reported it for payment with a request that the draft in their favor for $4856.12 be sent to them at New York care of S. J. Spiegleberg

I have to call your attention to the defects of the field notes and some of the plats of the foregoing Surveys In Subdivideing Townships the width of every Stream crosed by any of the lines should not only be Stated in the field notes but entered on the plats and the distance between sections and quarter Section Corners and every meandered Stream should be distinctly entered or Stated in both cases In Townships 13 North of Range 22 East the field notes are not in the regular progression pointed out in the manual of instructions and the distances from Section and quarter Section Corners and acrogs the Rio Concha are not given and the field notes of Townships 14 North of Range 23 East Contain no general description as required. The field notes of the survey of the Exterior boundaries are without any title page or index Diagram. defects which you must see to having remedied in the future By reference to the last paragraph of our letter of Febry 14th 1859 you will percieve that we notified your office not to calculate the miles of each Township included in an account at the rate per mile allowed in the contract but to sum up the whole extent of the survey before making such calculation and that you were instructed to affix at the foot of each account the directions for the disposition of the draft in one or two lines in lieu of encumbering the files

of this office with letters from your Deputies and Clerks in reference thereto. As these instructions were complied with for a brief season and are calculated to save time and labor you are required to keep them in mind when preparing and transmitting future accounts

Very Respectfully
your Obt Servt
Jos S Wilson
act
Commissioner

General Land Office
November 10th 1859

William Pelham Esq
Surveyor General
Santa Fe N.M.

Sir

300 I have your letter of the 1st ulto enclosing the salary accounts of your Translator and clerks for the quarter ending Sept 30th all of which have been reported for payment with a request that the drafts be disposed of according to directions By our letter to you of August 8th 1859 you were instructed to adjust the Salaries of your clerks and Draughtsmen according to the responsibility of their respective positions and the value of their services In lieu of this you have divided the $8000.00 allowed your Office equally among your six Clerks and draughtsmen making the Salary of each $1.333.33⅓ per annum or $333.33⅓ per quarter you must proceed at once so to adjust their Salaries as to avoid any fractions and to forward them thus adjusted at the end of the current quarter

Very respy. your Obt Servt
Jos S Wilson
ac Commr,

General Land Office
November 11th 1859

William Pelham Esq
Surveyor General
Santa Fe N.M.

Sir

301 Not having received from you any reply to our letter to you of August 9th 1859 on the subject of the expenditures of your office on account of the rent and incidental expenses and no compliance with its requirements. I presume it failed to reach you and therefore enclose to you a copy of the same with directions for you at once to transmit your account under the above appropriation for the 1st & 2d quarters of the present year as therein instructed The two vouchers accompanying said account which were disallowed and rejected by this office for the rasons afsigned in the above letter can be included in your account of expenditures for the two quarters that will expire on the 31st propimo provided all your vouchers yet to come shall bear on their faces the evidences of economy in your disbursements

Very Respectfully &c
Jos L. Wilson
Ac Commr.

General Land Office
November 12th 1859

William Pelham Esqr
Surveyor General
Santa Fe. N.M.

302 Sir

In relation to the account of A. P. Wilbar for examining the surveys of Robert P. Kelley & John W. Hagar transmitted with your letter of the 5th ult. I have to request to be informed of the necessity of making the examination By our instructions of April 18th 1859 the Surveyor General was directed to inspect the surveys whilst in progress in the field whenever he had reasons to believe that the work of the Deputy Surveyors might be imperfectly executed but not either in his own person or the person of a confidential

agent when other duties demanded his attention to Continue the System of general or indiscriminate inspection of the public Surveys It is presumed that the Surveyor General can determine from the returns of field notes made by the Deputies whether the surveys have been faithfully executed or not and that a rigid examination of the field notes will be made before he determines upon subjecting the Government to the expense attending their inspection The question there to be answered is had you Reason to doubt the fidelity of the work Contracted to be executed by Messrs Kelley and Hagar when you Commissioned Mr. Wilbar as an Inspector of the Same and upon what data was that reason founded

Very Respectfully
Your Obedient Servant
Jos S Wilson
ac
Commissioner

General Land Office
November 15th 1859

Sir

303 I have to inform you that Volume 10 Statutes at Large requested in your letter of the 27th September last has this day been mailed to you the receipt of which you will acknowledge

Very respectfully
Your Obt Servt
Jos. S. Wilson
acting Commissioner

Wm Pelham Esq
Surveyor General
Santa Fe
New Mexico

General Land Office
November 23d 1859

William Pelham Esqr
Surveyor General
Santa Fe. N.M.

Sir

304 This Office has been in receipt for some days of your letter of the 23d ult. enclosing an account of Deputies Clements & Archer for surveys executed by them under their contract of July 13th 1859 and announcing the transmission by the same mail of the plats and transcripts of the field notes of those surveys As the latter have not yet come to hand the object of this Communication is to inquire into the cause of their delay and to require duplicate Copies to be prepared and forwarded in case you have any reason to suppose they have been lost or destroyed

Very respectfully
your Obt Servt
L. A. Smith
Commissioner

General Land Office
November 28th 1859

William Pelham Esq
Surveyor General
Santa Fe. N.M.

Sir

305 Refering to the account of Deputy Surveyor John. W. Garretson for surveying the exterior boundaries of Sundry Indian Pueblos in New Mexico transmitted with your letter of August 22d. I have to request that you cause a seperate account to be prepared and forwarded for each Pueblo surveyed by him. omitting any charges for meandering streams of water flowing through them which cannot be allowed The object in meandering navigable waters in surveying the public lands is to determine the precise area of all lots of land made fractional by such waters. When they run through a grant of land confirmed to any party there is no object to be attained by meandering

them and hence that work is superfluous
and must be omitted by your Deputies
Very respectfully &c
S. A. Smith
Commr,,

General Land Office
December 1st 1859

William Pelham Esqr
Surveyor General
Santa Fe, N.M.

306 Sir

Your letter of the 15th of October informing this Office that John W Garretson, D. S. had. Requested to be relieved from the survey of the Exterior boundaries of the Indian Pueblos of Santo Domingo, San Felipe and Sandia, in consequence of his being compelled to suspend their survey on account of difficulties that had arisen and that you had. re-contracted them to Deputy R E Clements including the town of Chilili. is at hand. your action in this matter is approved excepting the authority given him in his contract to meander the Rio Grande Del Norte wherever said River shall run through any of the Pueblos This work being entirely unnecessary. it cannot be approved nor will the Deputy be allowed compensation for the same.

Very respectfully
your Obedient Servant
S. A. Smith
Commissioner

Gila City
Dec 7th 1859

Dr Sir

307 I have discovered a quartz mine and wish to enter a formal location on the same. but do not know the law in relation thereto of New Mexico I will give a discription of its situation as near as posible there being no legal surveys or points by which we can disignate its position It is situated at the extreme eastern point of a mountain on the north side of the river

Gila opposite and north of the town of Gila city and distant from said Gila city three miles (more or less) and from the river Gila one mile (more or less) and designated by a pile of Stone as a monument I have it in possession and so far as I have been able to prove it. it is very rich
I wish to avail myself of all the privilages of the law If this Territory should be organised I would fall under its jurisdiction in the mean time I wish to secure the location by registering in your office who as I suppose have sole power over the lands and mines in this Territory please write me general instruction on the subject and if convenient send me a copy of law and account of the Charges that will ocur in the registry &c .. adres
Gila City

Respectfully your obt Servt
John M. Pinkston

Wm Pelham
Surveyor General
New Mexico

General Land office
December 9th 1859

William Pelham Esqr
Surveyor General.
Santa Fe, N. M,

Sir

308 The plats and transcripts of the field notes of the Surveys of R, E, Clements & Stevenson Archer concerning which we wrote you on the 23 ult. came to hand on the 7th inst and their account was that day reported for payment with a request that the draft in their favor be sent to S. J. Spiegleberg Esq New York City

An examination of the plats shows that our instructions of May 16th 1859 were overlooked by your office and the field notes contain no general description of each Township subdivided as required by the manual of Surveying instructions. The non-receipt of the plats and field notes with the account in the above case and also in the case of Messrs Kelley & Hagar whose account was received with your letter of the 12th ult renders it necessary for us to refer you to the last

paragraph of our letter of Decr 15th 1858 and ask why the rule there laid down was not observed. The last account discloses a disregard of our instructions in preparing the same in three instances The separate calculation of the sum due for the survey of each Townships and the use of fractional cents are in violation of the rules that have repeatedly been prescribed for you and the Townships are not entered in the account according to the run of the Ranges

you are once more requested to have an eye to the instructions of this office when preparing the plats field notes and accounts of your Deputy Surveyors and always to forward the plats and field notes by the same mail that brings the account.

Very respectfully.
your Obt Servant
L A Smith
Commissioner

General Land office
December 19th 1859

William Pelham Esq
Surveyor General
Santa Fe. N. M.

Sir

309 Copies of the approved plats and transcripts of the field notes of the Surveys executed by Messrs Kelley & Hagar under their contract of May 31st 1859 announced in your letter of the 12th ulto to have been then transmitted to this office came to hand on the 15th inst On examining the plats and field notes I find serious defects to which your attention has often heretofore been called The figures representing the length of the section lines and areas of fractional lots are so diminutive and ill shapen as to be quite often indistinguishable even with the aid of a magnifying glass. and the number of the sections through which the meander lines run are written in the column where the lengths of the latter lines are entered thus throwing difficulties in the way of footing up the Columns and adjusting the accounts

In Township 15 North of Range 24 East there is an error of one mile in favor of the Deputy in computing the number of subdivisional lines run and in Township 15 North of Range 25 East there is an error of one chain against the Deputy in the number of meander miles entered on the plat and in the account. At the foot of the several columns of meanders I find 3,73.00 3.40 30. 3.50. 11 & 3.52 .96 entered which make an aggregate of 14 miles 56 chains & 37 links. and yet you have 14 miles 76 chains & 37 links entered in the proper place on the plat as the sum of the four columns. our addition makes 3.79.00 3.61. 30. 3 44. 20 & 3.52. 87 as the sum of the columns respectively and the true aggregate 14 miles 77 chains & 37 links. How do you account for the above discrepancies

I have next to call your attention to the hurried and careless manner in which the trancripts of the field notes of Township 15 North of Range 24 East and part of those of two other Townships were prespared as a contrast to the handsome style in which the balance of this work was executed and to the omission of your Deputies to attach any general description of the Townships to the field notes This general description should state the nature and quality of the soil all its natural products to what particular purpose of agriculture it is adapted and where streams of water run through them the latter should be minutely described so as enable this office to determine whether the streams are navigable and justify the expense attending the meandering of the same you are therefore required to have prepared and forwarded a correct general description of all the Townships that have been surveyed the present season by Messrs Kelley & Hagar and Clements & Archer. embracing full information as to the width and depth of the rivers running through them and to what extent and for vessels of what capacity they are navigable So far as this office can judge from the plats and field notes of the surveys of Messrs Kelley & Haigar the Canadian River running through four of the Townships is too narrow and shallow a stream to be classed among navigable waters and should not have been meandered. The meandering of mountains is the next matter which we have to bring to your notice and direct to be stopped

In subdivideing Townships the Deputies when
approaching impassable mountains should stop at
the section corner nearest to the mountain (unless they
proceed another half mile and can make a quarter
section Corner at the foot or before reaching the
mountain and pursue the same course on both
sides. The meandering of mountains is a useless
innovation. and must not be repeated Comm. Letter May 22/7 $
After making the proper annotation on the account
of Messrs Kelley & Hagar showing the correct amount
due them to be $4.335.40 it was reported for pay-
ment but will have to be withheld from the
Treasury for want of your compliance with our
instructions which requires the directions for the
disposition of the draft to be written at the foot
of the account or any other information from
your office designating the place where the
Deputies wish it sent you will at once write
this office on this subject in order that
the Deputies may be accommodated as early as
possible Very respectfully
your Obedient Servant
S A Smith
Commissioner

General Land Office
January 6th 1860

William Pelham Esq
Surveyor General
Santa Fe, N.M.

310

Sir

In answer to your letter of the 3d ult
asking a remittance of $1500.00 on account of
the rent and incidental expenses of your office
for the remainder of the present fiscal year.
I have to inform you that the Secretary of the
Interior has this day been requested to cause
you to be supplied with that amount. through
S J Spaigleberg Esq New York City
I am
Very respectfully
your obt Servt
Jos S Wilson
act Commissioner

General Land Office
January 6th 1860

William Pelham Esq
Surveyor General
Santa Fe. N.M.

Sir

3.11 In reply to your letter of 16th ult inquiring whether you shall continue fitting up the Court Room authorized by verbal direction of the late Commissioner and for which you state purchases have already been made by you. I have to inform you that when you forward a list of the expenditures you had made on this account previous to making these last purchases and explain the nature of the additional "fitting up" required embracing all the articles you suppose to be needed this office will take the matter into consideration and communicate to you its decision In the meantime you are advised of the impropriety of indulging in any expenditures of such a character previous to Consulting this office

I am. very respy. your Obt Servt
Jos S Wilson
Actg Commr.

General Land Office
January 17th 1860

William Pelham Esq
Surveyor General
Santa Fe. N.M.

Sir

312 In reply to your letter of November 26th 1859 on the subject of the account of Merrill Ashurst Esq for his services as Counsel in the case of the claim of Juan Bautista Vigil et als. Vs the United States I have to inform you that the claim with your letter of the above date and the letter of the Hon. M.A. Otero of the 14th ult to bearing upon the same having been refered to the Consideration of the Hon. Secretary of the Interior recommending the allowance upon the averment by you that it had received the oral sanction of the late Commissioner it has been decided that the existing laws do not authorize you to incur expenditures of that description out of the appropriation for

office or surveying purposes in New Mexico
as you will observe from the Copy of the Honorable
Secretarys letter herewith enclosed and you will be
careful to avoid a repetition of any such expenditure
hereafter unless expressly authorized by law and
sanctioned by this office A report has been made
in Mr Ashursts favor for the sum of $100.00 payable
out of our Contingent fund with directions for
the draft to be sent to you. addressed as above

Very respectfully. your Obt Servt
S A Smith
Commissioner

General Land Office
January 18th 1860

William Pelham Esqr
Surveyor General
Santa Fe. New Mexico

Sir

3.13 I have received your communication of the 10th
ult on the subject of the incidental expenses of your
office you have taken issue with this office on the
Charge of lavishness and extravagance in your pur-
chases under the appropriation for rent of office and
contend that this charge is unmerited and that your
office is not supplied with a large stock of station-
ery equal to its wants for some time to come. In
support of your position. your Communication is
closed with the assertion that your annual report with
its accompanying documents is larger than those of
the Surveyors General of Wisconsin & Iowa Kansas &
Nebraska. Illinois and Missouri Minnesota Florida
Utah and Oregon all in the aggregate Admitting
this assertion to be correct you must remember
that this work is performed but once in a year
and did not require the consumption of more
than about three reams of foolscap paper. In
several of the surveying Districts named by you
the consumption of paper for preparing plats
and field notes for file in the Surveyor Generals
offices and transmission to this office; and plats
and descriptive sheets for the local Land offices
is progressing daily and their correspondence
is almost Constant and sometimes voluminous

Not less than a dozen plats and books of field notes come from Minnesota and Kansas & Nebraska where we receive one from yours and surveying accounts in proportion Since the 30th of June 1858 our records show that we have received from your office only one hundred and eleven diagrams and plats of surveys in all. and allowing one quire of foolscap as sufficient for the record of the field notes pertaining to each plat you will see that the quantity required was quite limited. The Deputy Surveyors and Clerks accounts and quarterly incidental expense accounts received during the same period and your correspondence in connection therewith did not require the consumption of any large quantity of Stationery.

It was not however in your purchases of foolscap and letter paper where we detected the spirit of extravagance complained of. It was your repeated purchases of articles belonging to the unconsumable class. or which are not of an immediately perishable nature which excited our surprise. These articles you will find designated by a star in the accompanying Copies of several of your vouchers. and in order that you may realize the correctness of our opinion in regard to unnecessary expenditures on your part in this Connection I have to request that you prepare and forward by the next mail an inventory of all the stock you have on hand with an account of its condition. This inventory must be prepared in the running from of an ordinary mercantile bill so we can ascertain the amount of the stock at a glance. The Inventory must include all purchases made for your Court room as well as the Surveyor Generals office and when you take a clear view of the Contents of such inventory. you cannot hesitate expressing the opinion that you will have no occasion to make purchases of that class for a long time to come

In addition to the large stock of stationery which the enclosed copies of vouchers show to be on hand in your office. I have to remind you of the large bill we paid directly to Mr. Maurice of Philadelphia. in the month of June last. and to ask whether the vouchers rejected in our letter of August 9th were not the "immediate successors of several others of the same description. If your Court Room is in the same building with the Surveyor Generals office and constitutes an

actual branch of it. the necessity of your making separate and distinct purchases of stationery (embracing similar articles to those so plentiful in the latter) on account of said Court Room is not seen nor acknowledged by this office. The paper and Stationery purchased ought to be common to both and all unnecessary expenditures thus avoided.
In regard to the letter addressed you by the late Commissioner under date of March 16th 1858 upon the application of the Hon. M.A. Otero. in which it was agreed to cover the expenses incurred by the Surveyor General over and above the Regular appropriation for rent &c out of the appropriation for surveying such of the private land claims in New Mexico &c
I have to inform you that you have already drawn on that appropriation to the amount of several hundred dollars. and that any reasonable and indispensable expenses that may be incurred by you in adjudicating the private land claims will be paid out of the latter appropriation provided you first consult this office and it shall appear from the Inventory which you are requested to forward. that an actual necessity exists for the purchases

I am Respectfully
Your Obedient Servant
S.A. Smith
Comnr.

General Land Office
January 19th 1860

William Pelham Esq
Surveyor General
Santa Fe. N.M.

3.14

Sir

I am in receipt of your letter of the 3d ulto in reply to the objections made by this office to the meandering of Streams running through Indian Pueblos. and urging the payment of that portion of the account of Deputy John. W. Garretson you say his Contract embraced that Kinde of work and that in acknowledging the receipt of the Contract on the 6th of August last.

this office did not disapprove of your action and you complain that we failed to ifsue such instructions to your office in this connection as were necessary to prevent you from straying into errors. Judging from the date of the approvae of Mr Garretsons surveys he had completed the meandering of the Rio Grande coursing through two of the Pueblos by the time the copy of his Contract reached us and hence it would have been entirely useles for us then to have made any attempt to arrest his progres in that part of the work you afsigned. If our instructions of March 30th 1858. which required the transmifsion of all contracts to this office and notice of our approval of them to reach you before the Deputies proceeded to their fields of operation. for this was plainly implied if not distinctly expresed had been remembered and respected by you. this office would have been favored with the time and opportunity to addreſs you on this subject to some purpose.

Every Surveyor General is supposed to be something more than a mere automaton who can act and move only when touched by the fingers of this office. and to understand proper mode of constructing the plats of private surveys and the objects for which waters flowing through the public lands are meandered. and it may have been for this reason that you were not instructed to omit meandering streams that run through private land grants. Judging from the authorities you quoted. you seemed to be well aware that all navigable streams are public highways free for all persons to traverse without molestation or hinderance from any parties whatever. and that the citizens of New Mexico. enjoying this right under the laws of Spain and Mexico as well as those of the United States. If however. this right did not exist under an act of Congress of the United States. and all private land holders debarred by said act from the exercise of any power to exclude the public at large. or any portion of them. from the right to use such public highways coursing through their estates. this office cannot see how the meandering of such streams can secure to the public such a right. They happen to enjoy this privilege with or without the meandering of streams. and there is no power on Earth save that which confered it

that can deprive them of such a right, or impose restrictions upon it, In regard to "instructions." I have to call your attention to the printed manual of Surveying Instructions" with which your office was supplied (and particularly to pages. 12 & 13. 17 & 18 & 54 of said instructions) and then point you to the defects in your field notes explained in two recent letters to you from this office. for evidence that instructions" are very soon forgotten and cease to be observed by your office. Other letters of a recent date remind you of instructions on other points to which you soon ceased to pay any attention. and from these facts this office might well conclude that the issuing of instructions to your office were not invariably as effective as would be desired.

The payment of Mr Garretsons account at the time it was forwarded. was impracticable for other reasons than the charge for meandering streams flowing through the Pueblos. It was prepared in disregard of the Instructions of this office in the use of fractions. and you failed to place the tables of meanders on the plats to facilitate its adjustment. It is useless to refer to the field notes for light. for they are too much abbreviated every where and too destitute of the necessary punctuation marks. for them to be comprehended without a critical and laborious investigation. For instance 4 chains and 84 links are entered 484 Chains and thus they appear at almost every point. Such a piece of clerical work should never have received your approval. In the Pueblo of Pojoaque you change 09 links for connections with the public surveys: in the Pueblo of Santa Clara 01.08. and in the Pueblo San Ildefonso 05. 15 Chains disagreeing with the distances on the plats such entries are not comprehended by this office. and you are requested to explain them. When Deputy Surveyors have to wait an unsual length of time for the compensation due them for services, through delinquencies in the offices of the Surveyors General. the fault must not and shall not be ascribed to this office.

Our letter of 28th of November last requested you to prepare a separate account in favor of Mr Garretson for the survey of each Pueblo. omitting the charge for meandering streams flowing through any of them.

The decision of this office on this point cannot be reversed for the reason that no time was given us to issue instructions to your office on the subject. The justice of paying penalties (such as would be involved in allowing this charge) for errors of judgment or disregard of instructions on the part of Surveyors General, is not recognized by this office. That portion of your letter refering to samples by which the Pueblo Plats are to be constructed, heretofore promised to be transmitted to you, will be made the subject of a special Communication

I am very Respectfully
Your Obedient Servant.
Jos. S. Wilson
Actg
Commissioner

P.S. The account of J. F. Battaile for examining the Surveys of Messrs Clements and Archer received with your letter of the 17th ultc, has been reported for payment Mr. Wilbars account was reported for payment on the 17th of November

General Land Office
January 30th 1860

William Pelham Esqr
Surveyor General
Santa Fe, N.M.

Sir

15 The accounts of your Translator and Clerks for the quarter ending Decr. 31st 1859 Transmitted with your letter of the 2d inst. have this day been reported for payment with a request that the drafts be disposed of according to directions. In preparing these accounts it is required of your office to state in the account the particular position held by each clerk, or the nature of the duties performed by him. which requirement must be attended to. Upon the receipt of this you will report to this office the reason why you did not comply with the instructions of our letter of Augt 8th 1859 in regard to the Clerical force of your office, in view of the limited Surveys of your Surveying District.

Very respectfully &c
J. A. Smith
Commr.

over

278

P.S. Fractional parts of a dollar as well as fractional parts of cents. must be avoided in the adjustment of your Clerks Salaries.

Fort Stanton
Jan 30th 1860

Genl. Pelham

Sir

316 I wish to obtain from you such information as you can afford me as to what preliminaries and forms are necessary in order to secure a certificate of settlement or such other instrument as shall secure to me the legal possession of a parcel of public land on which I am now living since the tenth of Dec. 1859 and am improveing and this Comeing Spring shall Cultivate the same. the description of the land is as follows my farm is in what is Known at present as the Eagle canon settlement on the Rio Doso. about eight miles from Fort Stanton and begins at the upper or western end of a narrow neck of bottom land which lies immediately below a farm occupied by one Mr Stapp the line running due North and South acros the valley and from thence extending down the River on both sides past eagle canon one thousand yards more or less as may be necessary to cover one hundred and sixty acres of land if you can issue such document as I want and will do so any legal Charges Connected with the same will be promptly remitted through Mr Ruse the post Sutler or any more convenient Channel which you may think propper to suggest I would like to obtain information as to what Method or system of Surveys will be adopted in parts of the Territory where the valleys are narrow and the portion of tilable soil small as is the case in this valley in Conclusion I remain ...

your most
Obedient Servant
Wm M Chevalier

Genl Pelham
Surveyor General
New Mexico

General Land Office
February 6th 1860

Wm. Pelham Esq
Surveyor General.
Santa Fe. N.M.

Sir

317 I have reported for payment the several accounts of John W. Garretson. D.S. for surveying Indian Pueblos in New Mexico. received with your letter of the 7th ults. and have directed the draft for the amount to be sent to Messrs Hopkins. Harden & Kemp. Baltimore. The separate accounts were not available for the purpose desired. owing to your failure to state in each account the name of the party to which the Pueblo was confirmed. In future separate accounts of this kinde, you will please avoid such an omission

I am respectfully
your obedient servant
T A Smith
Commr.

General Land Office
February 6th 1860

William Pelham Esq
Surveyor General.
Santa Fe. New Mexico

Sir

318 I have adjusted and reported to the First Comptroller of the Treasury for his decision thereon. your Rent and incidental expense account for the six months ending June 30th 1859 including Vouchers 4 & 5. upon the principle stated in our letter authorizing you to enter them in your account for the quarter ending Decr. 31st 1859. which was the exhibition of a spirit of economy in future. Vouchers. This adjustment. after charging you with $1500 00 remitted you in July last and the same sum remitted you during the last month. shows you to be indebted to the United States in the sum of $1.869.83 without taking into consideration your expenditures for the six months ending Decr 31st 1859

I am respectfully your Obedient Servant
T. A. Smith
Commr.

General Land Office
February 6th 1860

Wm Pelham Esq.
Surveyor General
Santa Fe. New. Mexico

Sir

319 I am in receipt of your letter of the 7th ulto enclosing your account and vouchers showing the expenditures of your office under the appropriation "for rent of Surveyor Generals' office &c during the Six months ending December 31st 1859. I find among them no vouchers showing the purchases you had previously made (according to a former letter from you) towards the fitting up of your Court Room, but as voucher no 1 contains charges by Wm H. Chick & Co. amounting to $115.31 for freight and commissions &c, on four boxes and four trunks of merchandise, weighing 1.430 lbs. from Philadelphia to Kansas City, and charges by J. B. Doyle amounting to $171.60 for transportation of the same boxes and trunks from Kansas City to Santa Fe, and as Voucher No 2 shows charges by C. W. Kitchen for freight on 997 lbs of books from Kansas City to Santa Fe, amounting to $89.73 we have reasons for believeing that your purchases were large, and that the accounts, when received, will prove the immediate successors of at least two of the same description to which your attention was particularly called in our letter of the 18th ulto Before, Therefore, we can even entertain these two Vouchers. you must send on a Statement of the Contents of the Trunks and boxes in the form of bills from the parties of whom you made the purchases, and require the several persons to whom you paid such large amounts for freight, to make affidavit of the Correctness of the accounts and that they received the identical amounts Charged

I am very Respectfully
your Obedient Servant
T A Smith
Commissioner

Treasury Department
Comptrollers office.
February 8th 1860

William Pelham Esq
Surveyor General of New Mexico
Santa Fe, N. M.

Sir

320 Your accounts as Surveyor General of New Mexico for rent of Office, fuel. books. Stationery &c. for the 1st & 2d quarters. 1859. have been adjusted at the Treasury.. and a balance of $1.869.83 found to be due by you to the United States instead of $1.130.17 the balance claimed by you making a difference of $ 3000- which arises as follows. viz:

By your not charging yourself with the amt of warrants nos. 154 & 1636. dated July 13th 1859 & Jany. 10th 1860 respectively. and which had not reached you at the time of the condition of your accounts - - - $3.000.-

Very Respectively
W Mendill
Comptroller

General Land Office
February 18th 1860

William Pelham Esq
Surveyor General.
Santa Fe, N. M.

Sir

321 In reply to your letter of 21st ult I have to say that an an examination of the correspondence of this office with yours on the subject of accounts since the 1st of August 1858. will show that you have had the same instructions from time to time about the directions required for the disposition of drafts. and that they have never been charged in any degree during that period. Regarding those directions as sufficiently enough for all practicable purposes. I do not deem it necessary to repeat them. your description of the navigable capacity of the Canadian fork of the Red River does not make an approach to what was required by our letter to which yours of the 21st is a reply. but you state quite enough to show that it is not a navigable stream in those parts of it measured during the late season

Very Respectfully &c
Jos S Wilson
acty Commr.

San Elezario Texas
Feb 25th 1860

Genl William Pelham
Surveyor General of New Mexico

322 Dear Genl

I am requested by William Killicorn who desires to establish a Saw Mill on the Rio Bonito near Fort Stanton to write to you for information relative to the locations made on that stream, and Recorded in your office. He desires to know particularly of the claim of Charles Yoger and those adjoining it. you will also confer a favor on me by informing me in what situation is the claim of Jose Sutton filed by me and in which I am personally interested - also the claims of Guadalupe Miranda we have no news except the civil war. or rather war of races in the Mesilla. which you have heard ere this

Your Friend Truly
W. Claude Jones

P.S.
Jeré Snyder is here and wants me to ask you how Venizon goes now

General Land Office
February 28th 1860.

William Pelham Esq
Surveyor General
Santa Fe, N.M.

Sir

323 I am in receipt of your letter of the 28th ultc. Transmitting plats and transcripts of the field notes of the survey of the Chilili Grant and the Indian Pueblos of Sandia. Santo Domingo and San Felipe, executed by Reuben E. Clements. Deputy surveyor. under his Contract of September 21st 1859. with his several accounts for the service. The latter, excluding the charge for meandering streams flowing through these grants. have this day been reported for payment with a request that the drafts in his favor be

sent to his address at Kansas City. Missouri. Care of H.M. Northrup Esq

I find that your clerk in preparing these accounts committed the error of endorsing the Chilili Grant and the sum of $491.25 on the back of the account for surveying the Pueblo Sandia, and endorsing the Pueblo Sandia and the sum of $455.02 on the back of the account for surveying the Chilili Grant. and the proper corrections had to be made by this office. The great defect in the plats of private grants is the failure of your Draughtsman to distinctly point out the Townships and Ranges in which they are situated by giving a prominent place to the former on each plat. The scale by which they are plotted should be much reduced whenever necessary to give a distinctive and prominent location of the lines of the Townships and Ranges and show the connection of the lines of the private grants with the lines of the public surveys. As soon as it is possible to have the sketch maps prepared that are designed for your guidance they will be forwarded with such other information as may be necessary in connection with this matter

I am very respectfully
your Obedient Servant
Jos S Wilson
Commissioner

Circular

General Land Office
March 20th 1860

324

To the -
Surveyors-General -

Gentlemen

From and after the Receipt hereof, you will be expected, when entering into Contract, or issuing Special Instructions to Deputy Surveyors, to prepare the papers in quadruplicate, instead of in triplicate as heretofore; and forward simultaneously with the triplicate to this office, the additional Copy to the First Comptroller of the Treasury

Very Respectfully
Your Obt Servt
Jos S Wilson
Commissioner

General Land Office
March 22. 1860

325 Sir

I have received your letter of 17 ult. in relation to claims which have been presented to you for lands in Mesilla Valley, which you state purport to have been granted by a Commissioner appointed by the Government of Mexico for that purpose. you say that the jurisdiction of that government over the land so granted was considered doubtful until the matter was adjusted by the Gadsden treaty, and you desire to know the views of the Department, and to receive instructions in the matter. On this subject I have at present nothing to add to the instructions of 21 August 1854 under the act of 22 July 1854. By the 8th section of this act it is made your duty to ascertain and report the origin, nature, character and extent of all claims to lands under the laws, usages and Customs of Spain and Mexico, and to render your decision as to the validity or invalidity of the same

By the act of 4 August 1854 the territory acquired under the Gadsden treaty of 1853, was incorporated with the Territory of New Mexico, and upon all land claims within said Territory your decision is required, as preliminary to final action thereon by Congress

Very respectfully
your obt Servt
Jos S Wilson
Commissioner

Wm Pelham Esq
Surveyor General
Santa Fe New Mexico

General Land Office
March 27th 1860

William Pelham Esq
Surveyor General.
Santa Fe. N.M

326 Sir.

In view of the fact that very early in the present year, you mailed to this office the plats, field notes and account of Reuben E Clements Esq. for Surveys of Indian Pueblos under his Contract of September 21st 1859. without awaiting the samples for

guiding the future construction of plats. & I have to inquire why you have omitted to forward the plats field notes and accounts of Deputy John W. Garrettson for the balance of similar surveys executed by him under his contract of June 4th 1859, when the same reasons existed for with holding the plats. field notes and accounts of Mr. Clements. and to direct that you immediately forward the plats of Mr. Garrettsons surveys in order that he may be paid for the services rendered

Very respy your Obt Servt
Jos S Wilson
Commr.

General Land Office
March 28th 1860

327

Sir

Your letter of the 25th instant is received asking an extension of your leave of absence On Reply I have to state that it is unusual to grant leave for so long a period: but in view of the peculiar circumstances. and the great distance to your post. the leave is extended to the time asked. by which date. it is expected you will be at your post. This extended leave. however is not to form a precedent for a future indultgence, when your services at your office. are necessary

Very respectfully
your Obt Servt
Jos S Wilson
Commissioner

Wm A Davidson
Register
Santa Fe. N.M.
Present.

General Land office
March 29th 1860

William Pelham Esq
Surveyor General
Santa Fe, N.M.

328

Sir

I have your letter of the 12th ultimo enclosing bills of L.J. Rose. Seligman & Clover & Christian Veltan for chairs furnished and sofa repaired for the use of your Court Room. amounting to $94.00 in the aggregate. which have been paid by you and receipted by them. As these expenditures are moderate and the articles deemed necessary for the Court Room. and you give

this office assurance that you will make no more purchases on account of said room without first receiveing authority from us to do so. I have reported the amount for payment with directions for the draft to be sent to you addressed as above.
In examining the bills sent. I regret to find the usual carlessness of your office in preparing the same The account of Christian Veltan was first prepared by one of your clerks. and then made out in duplicate by another. as appears from the familiar penmanship. In said account is the following entry,

6 yds. of Hair Cloth @ 1.50 $7.50

and so it appears in the duplicate copy prepared by your Chief Clerk. How such an error could pass through two hands without detection. this office cannot understand unless Carelessness was the cause of it. In preparing all such accounts the endorsement on the backs thereof should invariably name the leading article of the bill and Contain the date of the Sur. Genls. certificate, in addition to the name of the party from whom the purchase was made and the amount of the account. At the head of the endorsement sufficient space should be left for entering the number of our Report.
I have also to acknowledge the receipt of your letter of the 10th ult. transmitting the general description of each Township subdivided by Messrs Clements & Archer under their last contract. and will have the same attached to the transcripts of the field notes of those surveys

I am respectfully.
your Obedient Servant
Jos. S. Wilson
Commissioner

Tubac Arizoña
March 31st 1860

Dr Sir

329 I understand that any Person who lives on the public Lands of the Territory of N.M. five years is entitled to 320 acres of land. will you please inform me on this point and send me blank forms & full instructions how to act and what must be done in the premises to secure it

very Truly
your Ob Svt
Elias Brevoort

To the
Sur Genl of N.M
Santa Fe, N.M.

Head Quarters Dept of New Mexico
Santa Fe, N.M April 4th 1860

Sir

330 The Department Commander directs me to inform you that pursuant to instructions from the President of the united States Communicated through the Secretary of War. directing reservations for new Posts in this Department you are hereby notified that he has made a reservation of ten miles Square taking the center of Township 13 N R 31 E on the Canadian or Red River & running five Miles each way North South East & West also ten miles Square has been reserved on the San Pedro River taking the point at its junction with the Arorapo river as a Center and running in like Manner from thence five miles each way north South East & West which Reservations he requests you will take all means to preserve intact from settlement or location

I am very Respectfully
your Obt Servt
John D Wilkins
1 Lieut 3d Infty
A Asst Adjt Genl

Wm Pelham Esq
Surveyor General
of New Mexico
Santa Fe
New Mexico

Head Quarters Dept of New Mexico
Santa Fe. N.M April 4th 1860

Sir

331 The Department Commander directs me to inform you that pursuant to instructions from the President of the United States communicated through the Secretary of War directing reservations for new posts in this Department you are hereby notified that he has made a reserve of Ten Miles Square taking the East

Bear Spring (Ojo del Oso) on the road to Fort Defiance as a center and Running five miles North South East & West also a similar reservation taking the point where the Fort Smith road crosses the Gallinas River as a center & running five miles North South East & West which Reservations he requests you will take all means to preserve intact from settlement or location

I am very respectfully
Your Obt Servt
John D Wilkins
1 Lieut 3d Infty
A Asst Adjt Gene

To
Wm Pelham Esq
Surveyor General of New Mexico
Santa Fe
New Mexico

Fort Bliss Texas
April the 6th 1860

332 Honorable Sir.

I take the liberty herewith venturing to molest you with a few questions and for me very important and Consequential matter and therefore beg to your Kindness most respectfully for a Communication at your Convenience. before entering on the same I have to state that I am a Soldier of Comp. I 8th Infty Stationed at Fort Bliss Texas and the expiration of my term is Coming to a close after which I intend to make or prepair me a home somewheres in this Vicinity a farming the means are so limited as prehaps your honor Can. Judge. that they will be entirely exhausted after procureing the necessary provisions for a while & the indispensible utensils which would leave nothing at all for the purchase of a place either with or without implements according the information after fregnent inquiries Concerning this my Case I have been brought to a calculation that between here and Fort Fillmore N.M. on the opposite side of the Rio Grande. at the places Known as La Mesa & Los Amolos" or in the vicinity of these places. there might prehaps be a little spot of Government land which might be secured by pre emption

or at some other way from Government as to enable a poor man to make a start to make a living for himself & also improve the Country by settlement.
If this should be the case your honor would refer to me an immense favor by giving me the Knowledge of the same and also where when and how could I ascertain its particular dimentions and it boundaries, what would be the price of it, if not pre emtion land how or of whom could I get it layed out or Surveyed, what would be the expense of the latter, & whether then the titles would be an indispensable one, and in short what steps would I have to take to enable me to settle & procure me an unquestionable home, Finally I again beg your honor to regard me with a few words in Correspondence either in afirming or disappointing my hopes of the change of life I am about to realize shortly

While under many obligations
I remain your honor
very respectfully & obt servt
Charles Wolpert
Sgt Co I 8 Infty

To the
Superintendent
of the Territorial Land Office
of New Mexico
Santa Fe
N.Mx.

General Land Office
April 9th 1860

Wm Pelham Esq.
Surveyor General,
Santa Fe, N.M,

3,33 Sir

If you shall have prepared and forwarded the plats. Manscripts and field notes of the survey of the Indian Pueblos executed by John W Garrettson Deputy Surveyor, and his accounts excluding the charge for meandering Navigable Rivers running Through the same. previous to the receipt of this. I have to direct that you at once prepare and forward separate accounts in his favor for the meanders of such streams. The Honorable Secretary of the Interior Though inclining to the opinion that you committed an error of judgment in Contracting for the meandering of waters running through private Land granted has decided that Mr Garrettsons claim for this service is just and ought to be allowed. This decision renders it necessary for

this portion of Mr Garrettsons work to be included in his surveying accounts or prepared separately if you shall have acted upon them previous to the receipt of this Communication. & In future Contracts for the survey of private land claims you will be careful to avoid the error within alluded to.

I am very respectfully
your Obedient Servant
Jas S Wilson
Commissioner

Circular,

General Land Office
April 25th 1860

William Pelham Esq
Surveyor General
Santa Fe, N.M.

Sir

3,34

As has been the annual usage of this office, I have now to address you on the subject of the annual report on the surveying service in your District and prescribe the following rules for your observance.

1. You will cause to be prepared and mailed in time to reach this office not later than the 15th of September next a synopsis of your next annual report on the surveying operations in your District. and this synopsis must be accompanied with your surveying and office estimates for the fiscal year ending June 30th 1862.

2. your next annual report in full accompanied by the necessary documents and illustrative maps and a copy of the estimates must be prepared and mailed in time to reach this office by the 15th of October next. such report and its accompanying documents and maps. must exhibit the surveys executed and in process of execution, and distinctly point out the field where you propose extending them during the fiscal year above mentioned. Diagrams (or maps) of this character are expected to accompany your synopsis as well as the full annual report, and must mark out and designate by distinct characteristics, the precise location and extent of the field where the surveys have been executed and where they are contemplated to be carried under the appropriation to be estimated for the surveying service during the fiscal year ending June 30th 1862

Good and satisfactory reasons. based upon reliable data showing the agricultural resources of the country and a demand for settlements. for extending the surveys into any particular field ought to be assigned in your report.

3 The synopsis. estimates. and reports respectively must be made out on good paper of the largest cap size in separate sheets with a sufficient space to admit of their being secure by fastened together at the ends and yet read without difficulty and the Reports and accompanying documents are to be written on every other page only. and must be prepared and forwarded in triplicate.

4 In submitting your estimates for office expenses you will be particular to give the names salary and particular duties of each Clerk employed in your office. minutely describing his business and the amount of clerical labor he will have to perform so as clearly to establish the necessity of his service. Particular attention to this matter will be expected at your hands. You will bear in mind that the organic act of your Surveying District. fixes the amount annually appropriated for Clerks to perform the regular service of your office. and their compensation must be separately estimated for as they are paid out of the appropriation resting on the organic basis. Then should the exigencies of the public service imperatively demand the employment of additional Clerks for transcribing field notes for preservation at the seat of Government. an additional estimate must be made for them accompanied with a statement showing the absolute need of such assistance.

In order to ensure a timely compliance with these requirements. it is recommended that you commence the synopsis immediately on the receipt hereof. and make all the necessary additions from time to time up to the date of mailing the documents. It is expected that you will omit nothing that may be necessary to facilitate the prosecution of the important business and responsible duties of this office. you will report any suggestions. which in your judgment will give greater efficiency to the surveying system. or effect a reduction in its expenses and be careful to ask for nothing not absolutely required for the promotion of the public interests.

I am respectfully

your Obedient Servant

Jos S Wilson

Commissioner

General Land Office
April 28th 1860

William Pelham Esq
Surveyor General.
Santa Fe. N.M.

Sir

335 I have to acknowledge the receipt of your. letter of the 31st ults. enclosing the Salary accounts of your Clerks for the quarter ending that date prepared according to the instructions of this office and to inform you that they were all reported for payment on the 19th inst. with directions for the drafts to be disposed of according to the request of the respective parties

I am respectfully
your Obedient Servant
Jos S Wilson
Commissioner

General Land Office
May 1st 1860

William Pelham Esqr
Surveyor General
Santa Fe. N.M.

Sir

336 I acknowledge the receipt of your letter of the 17th ults. enclosing Sunary accounts of John W Garrettson, Deputy Surveyor, for the survey of Indian Pueblos and Town claims in New Mexico under his Contract of June 10th 1859. with the plats and transcripts of the field notes of those surveys. I find the field notes of the Town of Tecolote and the Pueblos of San Juan & Zia, prepared in a way to answer the purposes of this office and in accordance with the rules prescribed in such cases.

Those of the remaining Towns and Pueblos are thrown two and three in a volume, and instead of one closing upon one sheet of paper and the next commencing on another and different sheet of paper and each one having its proper index Diagram attached to it the copyist has followed up the Transcripts of one with the transcripts of another not only on the same sheet but on the same <u>side</u> of a sheet of paper, and placed the index Diagrams of <u>two or three</u> in front of the field notes of <u>one</u> of them only

3

I have therefore to request that you have corrected transcripts of all the Towns and Pueblos thus thrown together, prepared and forwarded at your earliest convenience. The oaths of the Deputy and his asistants and the proper certificate of the Surveyor General must be attached to each one of them. and the transcripts of each must be written in a separate book.
The large size of the plats is an objection to this piece of work. The scale by which they are constructed should be so reduced in all cases as to give them a neater appearance and render them more convenient for use.
In the account for the survey of the Pueblo of Thaos, I find in the heading of the same the words 'out of the appropriation of June 12th 1860 instead of June 12th 1858 and that for the Town of Belen, the number of miles set down as 48 when it should be 84 The sum of the last column of meanders on the plat of the Town, claim, is entered 92-00-25 miles instead of 12-00 25. In this connection I desire you to remember that ive asked the entry of the sum of the addition of each Column of meanders at the foot of the same, and not its reduction to miles.
I have adjusted and reported for payment all the accounts of Mr. Garretson excepting the one for the survey of the Pueblo of Jemez. This cannot now be paid for the reason that the appropriation is too nearly exhausted to admit of it

I am very respectfully
your obedient Servant
Jos S Wilson
Commissioner

General Land Office
May 5th 1860

William Pelham Esq:
Surveyor General,
Santa Fe, N.M.

37

Sir

I am in receipt of your letter of the 3d ults, transmitting your account for rent of Office fuel Stationery &c for the quarter ending March 31st 1860 with vouchers 1. 2 & 3 and this day I have adjusted the same, in connection with your account and vouchers for the quarters ending September 30th & December 31st 1859. and reported it to the First Comptroller of the Treasury for his decision thereon. The adjustment leaves you a balance of the above appropriation

of only $ 55.25 applicable to the incidental expenses of the current quarter.

As intimated in our letter to you of the 18th of January on the subject of the incidental expenses of your office the deficiency certain to be created during the current quarter would have been paid out of the appropriation "for surveying such of the private land claims in New Mepico as shall have been confirmed by Congress &c. in view of your late reduced expenditures. if you had not exhausted that appropriation by contracting for the meandering of navigable rivers flowing through private land grants. our letter of the 1st inst informed you that after paying ten of the accounts of John. W. Garrettson for surveying Indian Pueblos and Town claims, that appropriation was too nearly exhausted to admit of our paying his account for the survey of the Pueblo of Jemez and when we include this account there is a deficiency in the appropriation of $195.44

I see no way of relieving your office from this embarrassment until Congress shall make another appropriation for the survey of private claims in New Mepico.

When as a part of your expenditures during the present fiscal year was incurred in carrying out the objects contemplated by that appropriation. we may be able to charge any deficiency exhibited in your account for the current quarter to the said appropriation if there be no clause in the act forbidding the application of any part of appropriations for next year. to deficiencies of the present year as has been threatened. In the mean time you will incur no expense not absolutely demanded by the public necessities and so arrange your accounts as to make them payable out of the appropriation above named. if there shall be no Congressional interdict upon such action on the part of this office

I am very respectfully,
your Obedient Servant
Jos S Wilson
Commissioner

Pinos Alto N.M.
May 5th 1860

338 To the
Surveyor-General of the Territory of
New Mexico.

Sir

I hereby give notice to the Land office of this Territory that I have preEmted a quarter Section of land in the County of Dona Ana, located & described as follows. Situated on the Southerly side of the Santa Rita Mountains near the Hacender de Santa Rita the South west corner being about one fourth of a mile from the buildings of said Hacender. Commencing at a pile of stones in an erroye the line runs North Eighty rods to a pile of stones. thence East Eighty rods to a pile of stones thence South to a stake & Stones thence West to the place of begining Embracing one hundred & Sixty acres of public land which I intend to occupy & improve according to law & am ready to pay for the same whenever surveyed by the U.S. Government

Very Respectfully
John A. Ridenoor

Tubac N.M.
May 5th 1860

3.39 To the Surveyor General of the Territory of New Mexico

Sir

I notify the Land office of this Territory that I have made a pre Emtion claim of one hundred & Sixty acres of land on the Westerly side of the Santa Rita Mountains near the Haciender & Santa Rita bounded as follows Commencing at a stake & Stones at the corner of land preemted by J.A Ridenoor thence East Eighty rods to a pile of Stones thence North Eighty rods to a pile of stones thence West to a pile of Stones thence South to the place of beginning. This is public land & I intend to occupy & improve it according to law & am ready to pay Government price for the same whenever it is surveyed

Respectfully &c
D. Morehouse

296

La Mesilla New Mepico
May 12th 1860

Majr
J Pelham
U S Surv Genl.
Santa Fe

340

Sir

Mr Henry Corlew and myself in the month of December 1859 located and built houses on Three Hundred and twenty acres of Public Land for the purpose of making it our home this land has never been Surveyed but is situated in this Country and bounded and described as followe. to wit. North of the Town lots of the "Mesa" East by Swamp Lands West by "Mesa" Asequia. North by Open Lands. Now my object in addessing you is to enquire what course we must persue to get a good title to it as we Contemplate this Spring to make some more improvements but should like to Know the State of our titles before making the outlay. by writting me and Complying with the above requests at an early date you will Confer a favor on

yours Respectfully
J. H. Massie

Treasury Department.
Comptrollers Office
May 16th 1860

William Pelham Esq
Surveyor General of New Mepico
Santa Fe New Mepico

341

Sir

Your accounts as Surveyor General of New Mepico on account of office rent &c for the 3d & 4th quarters. 1859 & 1st 1860 have been adjusted at the Treasury and a balance of $55.25. found to be due by you to the United States by you

Respectfully
W. Merritt
Comptroller

General Land Office
May 23.d 1860

342 Sir

I have received yours of 28th ult. in relation to the Donation of Francisco Lobato. and in connection therewith asking instructions respecting the survey of claims of this character.

the act of 22 July 1854 granting donations in New Mexico does not authorize the special survey of such grants. but provides that they shall be selected by Legal subdivisions." (See Sec 2) and the certificate to be issued in such cases. (Sec 3) will describe the claim by subdivisions Final proofs then cannot be filed nor certificates issued until after the completion of the public surveys in the district of country where the claims are situated. and it is not proposed to hasten the extension of the surveys for the sole purpose of determining the location of Donations. Claimants must therefore await the progress of the surveys in such manner as the policy of the government in regard to the public lands may dictate.

Very respectfully
your Obt Servt
Jos. S. Wilson
Commissioner

W. Pelham Esq
Surveyor General
Santa Fe New Mexico

General Land Office
June 18th 1860

343 William Pelham Esq
Surveyor General
Santa Fe, New Mexico

Sir

I have this day transmitted to you 20 Copies of the connected diagram of the public and pueblo surveys in your District with the view to facilitate the rendition of your next annual Report to this Office.

I am very respectfully
your Obt Servt
Jos S Wilson
Commissioner

Department of the Interior
Office of Indian affairs
May 14th 1860

344 Sir

This office having signified to agent Steck its approbation of the establishment of a Reservation in New Mexico for the Gila Apaches including the Miembres. Mogollon and Chilicagua bands of that tribe he suggests the following boundaries for the same. viz. Commencing at Santa Lucia Spring and running North fifteen miles. thence west fifteen miles thence South fifteen miles thence East fifteen miles to the place of beginning.

Agent Steck has been directed to have the boundaries of the Reserve as indicated by him. run out and marked. and to give notice thereof to the Surveyor General of New Mexico. I have therefore to request that you will give instructions to that officer to respect the said Reserve. when in the progress of the public Surveys. he comes to connect them with the external boundaries of said Reserve.

Very respectfully
your Obt Servt
A. B. Greenwood
Commr.

Jos. S. Wilson
Commr. Genl Land Office

General Land Office
July 11th 1860

Surveyor General
Santa Fe. N. M.

345 Sir

I forward herewith a diagram of New Mexico showing in red the location of the Gila Apache Indian Reserve. and copy of letter addressed to this Office under date of 14th of May by the Commissioner of Indian affairs. requesting instructions to be issued to your office to respect the said Reserve when in the progress of the public surveys. you come to connect them with the external boundaries of the same and have to direct that your action be governed accordingly

I am respectfully
your Obedient Servant
Jos S Wilson
Commissioner

General Land Office
July 29d 1860

William Pelham Esq
Late Surveyor General
Santa Fe. N.M.

346 Sir

In answer to your letter of the 30th ulto. forwarding the salary accounts of your Clerks and Draughtsmen for the quarter ending that date, I have to inform yow that I have this day reported them for payment with directions for the drafts to be disposed of according to the request of the several parties. The amount of your own salary was reported for payment on the 2d inst with directions for the draft to be sent to S J Speigleberg Esq. New York city. as directed by yow. The amount of your salary for the previous quarter was sent in a draft to the same gentleman not through any mistake, as yow suppose. but because that was the destination yow had previously given the drafts for your quarterly salaries. and because. in our anxiety to serve yow in this particular we had reported the amount for payment before receiving your directions. and under the supposition that yow would not change the directions that had previously been given us.

The amount of salaries of Messrs Virgil. Papia & Mink. ($334.$333.& $333.) have been charged to the regular appropriation for Clerks. and that of Messrs Means. Smith & Miller ($334.$333.& $333.) to the apportionment allotted your office out of the appropriation "for Compensation of Clerks in the offices of the surveyors General to be apportioned &c, thus exactly consuming the respective sums.

Very respectfully
your Obedient Servant
Jos S Wilson
Commissioner

General Land Office
July 28th 1860

347 To the Surveyor General
of New Mexico
Santa Fe. N.M.

Sir

Referring to our letter of the 26th September last directing the Surveyor general to

make no further returns of the Pueblo surveys until he should receive the proper forms for that purpose & now transmit you the samples promised and hereinafter mentioned. The irregularities alluded to in our said letter referred to the transcripts of the field notes of surveys of the Indian Pueblos of Tesuque Pojeaque Nambe & San Ildefonso. all of them embraced under <u>one certificate</u> instead of being separately returned bearing several distinct certificates of the surveyor and approvals of the Surveyor General. Like objection is found in the transcripts of the field notes of surveys of the Indian pueblos of Cochiti and Isleta; Picuries. Taos. and Peacos. and Jemez & Belen. received with Surveyor Generals letter of the 17th March last
The plats of the surveys of Pueblos should have exhibited the adjacent lines of the public surveys in <u>heavy black lines</u> the unsurveyed township lines in <u>red ink</u> and the boundaries of the Pueblos themselves in some distinctive color in contradistinction to other colors which may represent the out boundaries of adjoining Pueblos or Private claims. These plats of the surveys must be accompanied with the authenticated transcripts of the field notes thereof in extenso they being designed to show the relative position of the Pueblos in connection with the township lines and are to be placed on file in advance of the receipt of the subdivisional township plats showing the Pueblos. Private claims and public lands thereon and on these plats there should be a tabular statement at the right hand side according to form "A" herewith. Then there is required a <u>particular</u> approved <u>plat</u> of survey of each pueblo and private land claim with the description of metes and bounds as per form herewith marked "B" to be attached to Patent certificate as per form marked "C." The certificate must be properly authenticated by you and attached to the <u>particular plat</u> of a pueblo or private land claim and when so attached will constitute the <u>basis</u> for a <u>patent</u> to be issued to parties entitled to the same under the provision of an act of Congress entitled. An act to confirm the land claims of certain Pueblos and Towns in the Territory of New Mexico" approved December 22 1858 and also "An Act to confirm certain private land claims in the Territory of New Mexico" approved June 21 1860.- I have to observe that the plats of each pueblo or private Land claim if falling partly or entirely with

in one township must be designated as section or Lot No 37 and should two of them be embraced partly or wholly with in one townships. then the other pueblo or private land claim shall be denominated as No 38&c

In this connection I have to direct you not to undertake any surveys of confirmed grants situated remote from the lines of the public surveys. but must confine your operations within six miles so that their connections with those lines may not exceed that distance, and thus obviate the necessity for distant and useless meanderings required in order to connect remote surveys of pueblos & claims with the lines of the public surveys.—

you will finally bear in mind that the certificate of Surveys made by you in the form of the particular approved plat is to be embodied verbatim in the patent as the description therefore the exact recital of the boundaries courses and distances and at material points the witness trees must be expressed in terse professional language disincumbered of all redundancy and so distinct and exact that it will constitute a patent description such as a grant from the United States based upon the confirmation of the title from the previous governments should

Continue

I am very Respectfully
your Obt Servt
Jos S Wilson
Commissioner

Tubac Arizona,
June 20th 1860

348

Genl Wm Pelham.
Surveyor Genl
N.M.

Sir

Heremto enclosed please find Document for Silver Mines which please have registered in your Office attaching your Seal of Office to same & forward to A. Clark Esq 22 Pine St New York & oblige

Very Respectfully
your obt Servt
Elias Brevoort

Ref. Jos Wilson's letter of June 20, 1860, Rec No 346.

General Land Office
September 16th 1859

William Pelham Esq
Surveyor General
New Mexico

349

Sir

Referring to your letter of the 9th July last.- to that from this office of the 6th ult.o ordering a reduction of the clerical force of the Surveyor Generals office so as to keep the same on a legal basis.- it remains for me. looking to a just principle of economy. to draw your attention to the unnecessary labor of making triplicate copies of the papers relating to Private land claims and Pueblos." your Report as Surveyor General of Surveying Operations, must of course be in triplicate. but in regard to private claims and Pueblos." you are hereby instructed hereafter to send only one transcript. which must be complete:- not only of all the Spanish papers. but translations and testimony. This transcript should be accompanied by a brief or Synoptical exhibit giving the No of claim grade of title- date. name of claimants; area of claim according to Spanish and American measurements. and locality; with a summary of the testimony and your explicit opinions —

1st As to the genuineness of the grant and the competency of the granting Officer,

2d Whether the conditions have been fulfilled and the land claimed. held in possession from the date of grant. or how long; and.-

3d The grounds of your approval or rejection.

In reference to Donation Claims under the Act approved 22d July 1854 the certificates required in our instructions of the 28th August 1854 are to be accompanied with the testimony filed in support of the claims.

Your proposition to detail one of your Clerks to take testimony on the ground. is rejected- as incurring unnecessary expense and leading to no useful result.- that is not the province of the Clerks of the Surveyor General. but of the Deputy. Surveyors whose peculiar. and special duty it is correctly to ascertain and fix the localities of Confirmed grants

in strict accordance with the basis and terms of confirmation. they should go into the field with specific instructions from you with regard to each Confirmed claim (for none others have you any authority to survey:) and those instructions should be accompanied by such data on your files as will aid in determining the locus — thus fortified in repairing to the field it is their business when on the spot to call upon the claimants to point out and establish by satisfactory showing the calls which they claim of their confirmed grants and to see that the official data and such evidence agree and unmistakably fit the true boundaries of the title as confirmed. — thereafter and upon the returns of the Survey to the Surveyor Generals office it is his duty to carefully examine the same and if found to have been Surveyed in conformity to the grant and strictly correct, to approve and report them for Patent.

I give you these directions at this time for your government generally. — the Pueblo returns received by last mail from you will form the subject of another communication.

In the original instructions to you dated August 21— 1854, you are required to prepare, in duplicate, form the archieves or authoritative sources, a document (No 3) exhibiting the names of all the "Officers of the Territory who held the power of distributing lands from the earliest settlement of the territory until the change of government: indicating "the several periods of their incumbency, the nature "and extent of their powers conceding lands; whether, "and to what extent, and under what Conditions and "limitations, authority existed in the governors or "political chiefs to distribute (reparir) the public "domain; whether in any class of cases they had the "power to make an absolute grant; and if so for what "maximum in area; or whether subject to the affirmance "of the department or Supreme government; "whether the Spanish Surveying System was in "operation and since what period in the country. "and under what organization; also with verified copies in the original and translations. "of the laws and decrees of the Mexican republic, and Regulations which may have been adopted

by the general government of that republic for the disposal of the public lands in New Mexico." not finding this in your Reports request it may be furnished as soon as practicable.

" In these instructions you are informed that all the grants in California" refer to the vara of Mexico as the measure of length: that by common consent "there" that measure is considered as exactly equivalent to thirty three American inches. and further that the Surveyor General of that State in 1847 had enclosed to us a Copy of a document he had obtained as being an extract of a treaty made by the Mexican government from which it would seem that another length is given to the vara; and by J. H. Alexanders (of Baltimore) Dictionary of Weights and Measures the Mexican vara is stated to be equal to 92.741 of the American yard." this office however has sanctioned the recognition in California of the Mexican vara. as being equivalent to thirty three American inches

You will please report whether you have followed, as a permanent rule of action, the ratio aforesaid to wit. that the vara is equal to 33 American inches and whether ancient and well ascertained limits established under titles from the Granting Power in New Mexico verify the correctness of that ratio in your Surveying District

Very Respectfully
your Obt Servt
Jos S Wilson
Acting Commissioner

General Land Office
July 26th 1860

To the
Surveyor General
of New Mexico at
Santa Fe. N. M.

350

Sir

I have to advise you of the appropriations made by Congress for the Surveying service in New Mexico for the fiscal year ending 30th June next which are as follows:

1st For compensation of the Surveyor General of New Mexico and the clerks in his office seven thousand dollars" $7.000

2d For compensation of translator in the office of the Surveyor General of New Mexico One thousand four hundred and sixty seven dollars and six cents." $1.467.06

which together with the unexpended balance of former appropriations for the same object amounts to the sum of $2.000 for the whole years service.

3d For compensation of clerks in the offices of the Surveyors General to be apportioned to them according to the exigencies of the public service there has been assigned to your office the sum of - - - - $2.000

4th For rent of the Surveyor Generals office in New Mexico. fuel books Stationery and other incidental expenses two thousand five hundred dollars" $2.500

5th For surveying the public lands and private land claims in New Mexico ten thousand dollars" $10.000

You are required so to adjust your clerical force and surveying contracts that the foregoing means placed at your disposal for the surveying service in your District be not exceeded by any liabilities which are to be incurred by you during the fiscal year ending June 30. 1861

The appropriation of $10.000 as aforsaid you will chiefly apply towards the survey of confirmed private claims and pueblos in Conformity to instructions issued to the Surveyor General of New Mexico of the 23d April 1859 and in this Connection I have to refer you to the following instructions bearing upon the same subject to wit.

Of August 21. 1854 & August 26 1854 in reference to the Surveys of the public lands and finally confirmed private claims.

Of September 16th 1854 as to the manner of locating confirmed claims by Deputy Surveyors.

Of Sept 26 1859 and January 19th & 21st and April 9. 1860 in relation to the survey of Pueblos through which navigable streams pass the shores of which are not required to be meandered.

of April 15th 1859 as to the discontinuance of the indiscriminate examinations of surveys in the field and prescribing an occasional examination also of Nov 12 of the same year upon the same subject and Dec 19. 1859 in reference to the un authorized meandering of mountains and directing their discontinuance.

Of May 1st 1860 respecting defective manner of making returns of the surveys of pueblos.-

Of Feby. 28th 1860 upon the subject of defective platting of the surveys of private grants.

"In advance of the publication of the laws passed by the last Congress. I herewith transmit you a slip of newspaper containing" an act to confirm certain private land claims in the Territory of New Mexico approved June 21 1860. showing what particular private claims were finally confirmed in addition to those confirmed by the act of Dec 22d 1858 you are directed thoroughly to digest the provisions of the act of Congress approved June 21. 1860 and to issue the appropriate instructions as to the priority of surveys particularly mentioned in our letter to the Surveyor General of New Mexico under date of April 23d 1859 above alluded to viz:

"It will be your duty first to survey and separate from the public lands such of the pueblos or individual confirmed claims as now fall within the range of the public surveys and then you will hereafter proceed in that service by attending to the localities of such confirmed private claims as are nearest to the lines of the public surveys so that exact and perfect connections therewith shall be kept up. and the immediate connections properly made and closed on the boundaries of the same when the lines of the public surveys advance around them."

In this connection I have to draw your special attention to the 6th section of the said act of June 21. 1860- that section refers to the Claim of the Heirs at Law of Luis Maria Baca which is entered as No. 20 in Surveyor Generals Report. dated Sep. 1. 1859 and the abstract

marked Exhibit "A" submitted by the Secretary of the Interior under date of Feb 23. 1860 to Congress. and as That land is also claimed by the Town of Las Vegas under said No 20 in the aforesaid Report this law gives the land to the Vegas Town claim. and allows the Baca Heirs to take an equal quantity of vacant land not Mineral in New Mexico to be located by them in square bodies not exceeding five in number, To give this law timely effect you will give priority in Surveying private claims to this claim particularly as it is in the vicinity about 4 miles of the existing lines of the public surveys. you will proceed to have the exteriors of the Las Vegas Town claim properly run and established and connected with the lines of the public Surveys. The exact area of the Las Vegas Town tract having been thus ascertained the right will accure to the Baca Claimants to select a quantity equal to the area of the Town tract elsewhere in New Mexico, of vacant land not Mineral. in square bodies not exceeding five in number. you will furnish them with a certificate. transmitting at the same time a duplicate to this office. of their right and the area they are to select in five square parcels. Should they select in square forms according to the existing lines of the public Surveys. the matter may be promptly disposed of by their applications duly endorsed and signed with your certificate designating the parts selected by legal divisions or subdivisions and so selected as to form five separate bodies in square form. Then the certificate thus endorsed is to be noted on the Records of Register and Receiver at Santa Fe, and sent on here by those officers for approval. Should the Baca Claimants select outside of the existing surveys. they must give such distinct description and connection with Natural objects in their applications. to be filed in your office as will enable the Deputy Surveyor when he may reach the vicinity of such selections in the regular progress of the Surveys to have the selections as near as may be to the lines of the public Surveys.

which may hereafter be established in the region of those selections.
In either case the final rendition of the certificate to this office must be accompanied by a Statement from yourself and Register & Receiver that the land is vacant and not mineral

In reference to other finally confirmed private claims. I deem it unnecessary for me to recapitulate the duties devolved upon the Surveyor General under the law as set forth in the act of June 21. 1860 the provisions thereof being plainly and distinctly drawn up and with abundant details to enable you to carry out the law into effect.

As the appropriation of ten thousand dollars as aforesaid contemplates the survey of the public lands as well as private land claims in New Mexico you will contract for the survey of the former to the extent of $3.000 and for the latter of $6.000. leaving the residue of $1000 for contingent expenses incident to the surveying service in the field

The attention of this office having been drawn to the fact that in the vicinity of Fort Stanton there are several hundred families pursuing pastoral and agricultural avocations and who are desirous of securing their settlements and improvements under the laws, you are directed to extend East the 2d correction line South in place if practicable and if not practicable then by offsets in so far only as to obviate the unsurmountable obstacles on the way.

The extension of said line is to be to the distance necessary to afford you the basis for the subdivisional survey near Fort Stanton so as to enable you to embrace those settlements within the same. and close the lines of the public surveys on the Reserve surveyed under the War Department and ordered by the President on the 12th May 1854 to be reserved for Military purposes. Copy of the plat of that survey was sent to the

Surveyor General of New Mexico with our letter of the 3d June 1859. you will please promptly acknowledge the receipt of these instructions

I am very respectfully
your Obt Servant
Jos S Wilson
Commissioner

General Land Office
August 4th 1860

A. P. Wilber Esqr.
Surveyor General,
Santa Fe New Mexico

347

Sir

In advance of the period for preparing the account showing the disbursements of your office under the appropriation for rent of office &c for the quarter or fractional quarter as the case may be ending 30th of September next I enclose herewith forms to be observed by your office in enclosing the account and accompanying vouchers. you will perceive from the duplicates on file in the office. of the account and vouchers for the quarter ending June 30th 1860 that the endorsements leave no room at the top for the entry of the number of Report made by this office. and that the forms enclosed leave the necessary space and require the entry upon each voucher of the number of the voucher. the name in full of the party in whose favor it may be drawn the leading charge in the same the amount of the account and the date of the signature to the receipt. the samples enclosed will answer as a guide for preparing them all.

In this connection I have to request that you will cause all parties with whom you transact business to prepare their own accounts. and that you satisfy yourself of their correctness in all their parts before certifying the same. the same remarks apply to the preparing and certifying of all surveying accounts. which is exclusively the work of your office.

In reference to surveys. I have to call your attention to the necessity of making a critical examination of all copies of plats and transcripts of the field notes of surveys. before certifying and forwarding them to this office.

It is particularly important that you see to the correct punctuation of the field notes in their figures as well as their words. and escact from all your Deputies the strictest care in keeping their notes and properly and clearly describing every thing necessary to make their work complete upon the basis of the Manuel of Surveying Instructions and such special instructions as have been ifsued from this Office.

I have further to call your attention to our letter addressed the late Surveyor General under date of May 1st 1860 requiring Conected transcripts of the field notes of the Surveys of the Indian Pueblos and Town sites epecuted by Deputy John W Garretson under Contract of June 10th 1859. and to request their immediate preparation and transmission according to the instructions of that letter. particular care being bestowed upon the punctuation of the figures and wording of the same.

The reduction of the size of the plats of the public surveys to the standard heretofore forwarded the office as a guide. reference being had to the appropriate Diagram in the Manual of Surveying Instructions. is another matter which. it is desirable. should be overlooked by your Office

I am Respectfully
your Obedient Servant
Jos S Wilson
Commissioner

General Land Office
August 8th 1860

352 Surveyor General
of New Mepico

Sir

Judge John S Watts
Attorney for Hugh Stephenson the owner of a Private Land Grant in New Mexico approved by Act of Congress of 21st June last has applied to this office that a Patent may issue for the same.

By the survey of this claim was made by the U S Deputy Surveyor and upon examination in your office the Survey

is found to be correct and its connections with the Contiguous surveys properly established. you will forward a Patent certificate for the same to this Office in order that a Patent may issue
But if it was not surveyed by an U S Deputy Surveyor and you Know nothing about its accuracy. you will order the Survey of the Grant according to its priority

Very Respectfully
your Obt Servant
Jas S Wilson
Commissioner

General Land Office
September 26th 1860

353 Sir

Yours of the 30th ultimo has been received and the Honorable Secretary of the Interior has this day been requested to remit to you the sum of one thousand dollars. to enable you to pay the rent and incidental expenses of your Office for the fractional quarter ending the 30th instant and the succeeding quarter ending the 31st December next

Very respectfully
your Obt Servt
Jas S Wilson
Commissioner

A. P. Wilbur Esq.
Surveyor General
Santa Fe
New Mexico

General Land Office
September 29th 1860

354 Sir

I have received yours of the 30th ultimo relative to your salary accounts. and have this day reported for payment an account in your favor for $269.02 the amount of your salary as Surveyor General of New Mexico for the fractional quarter extending from the 29th of August to the 30th instant inclusive with directions that a draft therefor may be remitted to you at Santa Fe NM

312

In reference to your request to be allowed to draw also at this time the amount of your salary for the ensuing quarter ending the 31st of December. I have to say that conformably to the established usage of the Departments and the practice of this office, no payment can be made until the expiration of the quarter or other period of service for which the salary shall have accrued.

very respectfully
your obt servt
Jos S Wilson
Commissioner

Alexr P Wilbar
Surveyor Genl.
Santa Fe New Mexico

General Land Office
Oct 2d 1860

353 A. P. Wilbar
Surveyor General
Santa Fe
New Mexico

Sir

I have to acknowledge the receipt of your letter of Sept 7th with the accompanying Contract and Bond of Messrs Pelham & Clements Deputy Surveyors for the survey of certain private land claims

Very Respectfully
your obt Servant
Jos S Wilson
Commissioner

General Land Office
Oct 2d 1860

356 A. P. Wilbar
Surveyor General
Santa Fe. New Mexico

Sir

Your letter of Sept 9th has been received and I have to state that the account of Mr D. V. Whiting has been adjusted and reported to the Comptroller of the Treasury for payment. The account was certified to by the late Surveyor General under whom the services were

performed and in your letter of Aug 29th informing me of his resignation you state that his account will be forwarded for his pay up to that date inclusive.

Very Respectfully
your Obt Servant
Jos S Wilson
Commissioner

General Land Office
October 2d 1860

Alexr. P. Wilbar
Surveyor General
Santa Fe. New Mepico

3.5-4

Sir

I am in receipt of your letter of the 1st ults. containing a statement in reference to the Salaries of the clerks in your office. showing the adjustment of their number and compensation in consequence of the reduction of the amount apportioned for the present fiscal year. With but a limited amount of Office business you have now:

| | | | | |
|---|---|---|---|---|
| Chief Clerk | at | $2.000 | per | annum |
| Translator | " | " 2 000 | " | " " |
| Draughtsman | " | " 1.800 | " | " " |
| 2 clerks at $1.100. each | | 2.200 | | |
| amount | | 6.000 | | |

as to your suggestion that the salaries of the two $1.100 per annum Clerks may be increased to $1.500 each from and after the 1st inst. I have to state that it does not receive the sanction of this Office
There exist in fact no means applicable for that purpose. the appropriation for clerk hire in the Offices of the Surveyors general during the present fiscal year having been apportioned in accordance with the exigencies existing in the several Offices. In view of your suggested increase - the occasion is presented at the outset of our official relations.
of my enjoining upon you the policy of diminishing rather than Recommeding increase of expenses in your Surveying District.
and with this in view I now invite your attention to the fact that the very limited extent of surveys requires necessarily but a portion of the Draughtsmans time and so in regard to Translator. These gentlemen might have their time fully occupied by devolving on

them other clerical duties and to this extent economise the expenditures incident to the employment of office force

Respectfully &c
Jos S Wilson
Commissioner

General Land Office
October 3. 1860

358 Sir

I have this day reported for payment the respective accounts transmitted with your letter of the 1st September of John H Mink and Jose E Vigil for their services as clerks in your office from the 1st of July to the 31st of August last inclusive. amounting as adjusted by this office. to $167 12/100 each for 62 days service at $991 92/100 per. annum. that being the rate of compensation designated in the accounts certified by you.

Drafts for the above sums have been requested to be remitted according to the directions found in the accounts to wit: Draft in favor of John H Mink. to the care of Jacob H Rosenbaum Box No 3219 P O New York city and draft in favor Jose E Vigil to Solomon Benthner care of J Jacobs & Co No 25 Courtlandt street New York city

Please notify the parties in regard to the adjustment of their accounts as above mentioned

Respectfully your obt Servt
Jos S Wilson
Commissioner

A. P. Wilbar Esq
Sur Genl
Santa Fe New Mexico

General Land Office
October 3d 1860

359 Sir

I have received your letter of 9th ult enclosing correspondence between you and H T Titus. styling himself "Agent of the New York and Arizona Exploring Company "with several papers sent to you by Mr. Titus intended as denouncements of certain Mines in New Mexico.

your course in refusing to record these papers is approved The Mining Laws of Spain refered to in the Spanish Commentaries published under Royal authority by Bamba in 1761 with the code promulged in 1783 under the title of Mining Ordinances of New Spain were in force in Mexico up to the time of her separation

3

from the Mother Country in 1821 and subsequent to that period were recognized by the legislation of Mexico with such modifications as were necessary to adapt them to a republican form of government. Under the dominion of Spain. the Mines were the property of the Crown and privileges were granted of working them on the payment to the government of a portion of the proceeds. to individuals who might discover new Mines or denounce those which had been abandoned.

Since the transfer of New Mexico to the United States Congress has neither recognized the Mining system of Spain and Mexico. nor passed any act of legislation on the subject further than indicating the policy of the non extension of the subdivisional lines of the public surveys over either the Mineral Region of California. (or lands therein unfit for cultivation.) so as to avoid laying the mines open to sale or location. See act of 3 March 1853. last paragraph 3d section. Statutes at Large Vol 10 page 245. Under these circumstances the Executive has no authority to recognize any claim to mines in virtue of present discovery or denouncement and you will consequently do no act in the premises inconsistent with these views. and will consider yourself. so far as the Mining Region of New Mexico is concerned. Controlled by the policy above mentioned in regard to California.

Your duties then in connection with titles or claims in the Territory extend only to the consideration of private claims lawfully derived from the former governments and to Donation claims under act of 22d July 1854 as explained in the instructions from this office of 21 August 1854 printed in Ex. Doc: No 1 Part 1 33d Congress. 2nd Session.

Very respectfully
your Obt Servt
Jos S Wilson
Commissioner

A.P. Wilbar Esq
Surveyor General
Santa Fe
New Mexico

Camp Las Vegas N.M.
Oct 9th 1860

60 A P Wilbar Esqr
Sur. Genl, N. Mexico

Sir

In a week or two we will have finished the survey of the Grants of Las Vegas. Pino and Anton Chico. which probably will consume the

amount of the appropriation athorized to be eppended in the survey of the private land grants in this section of country. the field notes of which will then be returned to the office for your approval.
In view of the fact that the line on which the surveys about Fort Stanton will have to be eptended through a large tract of country very much frequented and occupied by the Navajoes, while on their ... mauranding eppeditions and is where the late murders of the united States Mail party were committed and the fact that the Navajo Indians have committed numerous murders and thefts in all the country adjacent to the Rio Grande. and it is presumed will still continue to do so. rendering the epection of that part of our contract embracing the correction line and the surveys to be based upon it and the survey of the Claim of Hugh Stevenson. eptremely dangerous to life and hazardous to property therefore we respectfully ask and solicit that we be released from the survey of the claim of said stephenson and the correction line. and that we be permitted to survey an equal amount of the public lands and private Lands in this section of the country wherever selected by you. much fine land such as would be settled. if surveyed. and separated from the private property. which should be surveyed. has been seen by us. both South and East of the Pino. or Beck Grant.
We hope you will Consider our application and grant our request as we are aware you are acquainted with the dangers attending the epection of the surveys from which we desire to be relieved, we have applied to Col. Fauntleroy the commander of this military department. who has replied he required all the force possible to be detached from the protection of the different posts to repair to the Navajoe Country therefore had no force which he could detach as an escort for the Surveyors

Very Respectfully
your Obedient Servants
Wm Pelham
Deputy Surveyor
R E Clements
Deputy Surveyor

Las Cruces N. Mexico
October 9th 1860

361 Sir

I have the Honor herewith to enclose for the use of the Surveyor Generals office in New Mexico a plat of the Indian reservation at Santa Lucia on the Gila River agreeable to instructions dated May 16th 1860 from the Dep. of the Interior.

The Survey was made with care under my immediate direction by J W Hagar a practical Surveyor Comencing about one Mile & a quarter South East of Santa Lucia Spring running N 15 miles W 15 miles S 15 miles E 15 miles to the place of begining. The corners are marked with stone monuments and the lines where the Nature of the country permitted are well marked with stone. Ma. each mile and where regularity was impracticable on account of its Mountainous Character a Monument was placed upon the summit of each eminence hopeing that when you connect with the lines of said reservation in your surveys they will be respected

I have the Honor to be
Respectfully your obt Servt
M Steck Ind Agt

A P Wilbar
Sur Gene N Mex

Head. Quarters Department of N Mexico
Santa Fe October 16th 1860

362 Sir

Your request for an Escort for the protection of your Surveying party has been received and will be duly communicated to the Department Commander.

As he is now at Fort Bliss some delay must occur in learning his action on your request

I am Sir Very Respectfully
your obt Servant
Dabney H Maury
Assistant Adjutant General

Mr Wilbar
Surveyor General
Santa Fe N Mexico

For letter from Comd. Fort Bliss of Oct. 12 see No 404.

318

General Land Office
Oct 24th 1860

363 A P Wilbar
Surveyor General
Santa Fe, New Mexico

Sir

Yours of Sept 27th has been received and in reply I have to state that in view of the limited appropriation for the Surveying Service for the present fiscal year and the probability that the sept will be equally so this Office does not see the necessity for your visiting the the different portions of the country for the purpose of acquiring such information. as would insure the survey of such Public lands as the Public interest demanded as suggested in your letter. Moreover. in your annual Report you state that the number of Private land claims. will increase the amount of labor so much that the clerical force will have to be increased" your time must therefore of necessity be fully occupied in your Office

31 36

Very Respectfully
your Obt Servant
Jos S Wilson
Commissioner

General Land Office
24th Oct 1860

364 Sir

I have to acknowledge the receipt of your Annual Report of the Surveying Service in New Mexico dated Sept 15th 1860 accompanied with Copies of Claim No 9 Gervacio Noland and Claim No 10 Serafin Ramirez approved by the late Surveyor General July 10th 1860 and January 20th 1860 Refering to the Abstract of Private Claims finally corrected by the Surveyor General Jany 12th 1858 and submitted as the governing designations I find that No 9. the name of the Claimants is John Scolly et al" approved by Sur. Gen. 30th Sept 1854 and confirmed by Congress. June 21st 1860 this being the case this Office wishes to know your reason for designating the claim of Gervacio Noland as No 9

you are required to furnish us with the correct Number of that claim together with briefs and synoptical ephibits of both claims in accordance with the Requirements in our letter to your predecesson in office under date of Sept 16th 1859 to which instructions you are refered and required to carry them out in the administration of your duties as Surveyor General

Very Respectfully
your Obt Servant
Jos S Wilson
Commissioner

A P Wilbar Esq
Sur General
Santa Fe New Mexico

5

General Land Office
October 24th 1860

Sir

The accounts of Felix Tapia as Messenger and William Pelham for Office rent within the quarter ending the 30th of September received with your letter of that date are herewith returned to you. As you were advised by this Office on the 26th of September in answer to yours of the 30th of August last the sum of $1.000 was remitted to you to enable you to pay the Rent and Incidental expenses of your office for the fractional quarter ending the 30th ultimo and for present quarter ending the 31st December next. and the accounts for such expenses accruing from the date when your duties as Surveyor General commenced. will be paid by you from the funds placed in your hands for that purpose. and charged in your Quarterly Statement of Disburse-ments to be sent with the vouchers to this Office for adjustment.

Mr Pelham the late Surveyor General has rendered an account. which has been adjusted and reported for Incidental escpenses of his office to the 28th of August inclusive. embracing pay of Messenger and Office rent to that date. That account shows that Felix Tapia was paid as Messenger from 1st July to 28th August $79 29 and for the remainder of the quarter he is therefore entitled to $45 71 being a fraction more than the amount

of the within account owing to a short payment for the previous part of the quarter: also that Oliver P Hovey receiver pay for rent of office from 1st July to 28th August inclusive $19 2 39/100 which leaves $10 78/100 as the amount for Rent during the balance of the quarter. The account herewith returned is in favor of William Pelham and is for rent of office for the entire quarter from 1st July to 30th of September. Mr Pelham has already been allowed a credit for the above amount purporting to have been paid by him to Mr Hovey for rent up to the date when his duties as Surveyor General ceased, and it is a matter for surprise that he should so soon have forgotten that payment and now claim that rent is due for the whole quarter. You will pay the rent to the party to whom it may be due but only the amount and for the time above indicated

Very respectfully
your obt Servt
Jos S Wilson
Commissioner

A P Wilbar
Surveyor General
Santa Fe. New Mexico

General Land Office
October 25th 1860

366 Sir

The Salary accounts of the clerks in your office for the quarter ending the 30th ultimo received with your letter of that date, have this day been reported by this office for payment with directions for the drafts to be sent as requested in the respective accounts. These payments together with those previously made to John H Mink and Jose E Vigil for services to the 28th of August last make an aggregate of $15-13 5/100 being $13 5/100 more than the average sum per quarter available for clerical service in your office.

You will therefore reduce the expenditure for such service in the present quarter $13 5/100 below the quarterly allowance as the amount of the appropriation for the fiscal year can under no circumstances be exceeded by the payments.

Very Respectfully
your Obt Servt
Jos C Wilson
Commissioner

A. P. Wilbar Esqr
Surveyor General
Santa Fe New Mexico

Santa Fe N. M.
Dec 4th 1860

364 Sir

Your favor of today has been received and I have the honor to inform you that Don Tomas Cabeza de Baca and my Father are jointly the Attorney and Authorized agent of the Heirs to the Las Vegas Grant
Don Tomas C. de Baca, in the absence of my father is alone the authorized agent and Representative of the said Heirs he having had in his posfesion since the filing of this Grant in your office Powers of Atty. from all the Heirs to act in their name and stead, and that he at present is the proper person to receive any Communication in Reference to said Grant

Yours Respectfully
J. Howe Watts

Hon A. P. Wilbur
Surveyor General
of New Mexico

General Land Office
November 8th 1860

368 A. P. Wilbar Esqr.
Surveyor General of
New Mexico at Santa Fe
N. M.

Sir

In order that the Register and Receiver of the Public Lands at Santa Fe, New Mexico. Can properly attend to the duties devolved on them in regard to the Donation Claims. which under the provisions of the act of Congress approved July 22d 1854 (See Stats. at Large Vol 10 Page 308) were devolved upon the Surveyor General. you are hereby directed to transfer to those officers all the papers Connected with the donation Claims on file in your office together with the original

instructions from this office bearing date August 28. 1854. & such other as have been since received by you as ex officio Receiver of Public Moneys.

The foregoing transfer was Contemplated by our instructions of the 20th October 1858 to the Surveyor general wherein he was told to analyse, Collect and prepare, to be transferred to such officers, the various evidences in your office relating to lands in New Mexico District together with all instructions pertaining to the duties of Register and Receiver that have been issued to you.

upon the receipt hereof you are required to collate all the action had by you on donation Claims and shown in the books provided for that purpose together with papers filed by donees & turn them over to the above mentioned officers whose duty it is, under the act of Congress entitled "an act to create a Land District in the Territory of New Mexico approved May 24. 1858 (See Stats. at Large vol 11 p 292) to attend to the functions prescribed by Law for other land officers (so far as they apply to these officers")

You are requested to acknowledge the receipt hereof and to advise this office of the time when the foregoing instructions shall have been carried out by you.

I am very Respectfully
your Obt Servt
Jos. S. Wilson
Commissioner

U. S. Land Office
Santa Fe N. Mx.
Decr. 11th 1860

369 Sir

We hereby acknowledge the receipt of the application of the Legal Representative of Luis Maria Cabaza de Baca for the location in one Square body of one fifth of the land granted to him by an Act of Congress approved June 21st 1860

Also the Certificate of location issued from your office for said tract of land the same shall be attended to without delay and forwarded

to the Comm. for approval

Very Respectfully
your Obt Servts
O.P. Richardson Register
Wm A Street Receiver

A.P. Wilbar
Surveyor Genl
Santa Fe New Mexico

U.S. Land Office
Santa Fe N. Mx
Decr 15th 1860

340 Sir

In reply to your inquiry of today I have to inform you that Col Fauntleroy has by authority from the President of the United States Reserved from sale and location for Military purposes the following Townships and Ranges Situated upon the Canadian or Red River. Viz Township No 13 North of Ranges 28. 29, 30 & 31. East. Said lands to be reserved from sale or location until the particular locality of a Military Work in that vicinity is determined upon

Very Respectfully
Your Obt Servt
O.P. Richardson
Register

A.P. Wilbar
Surveyor Genl
N.M.

341 Office of the Register & Receiver
of the Public Lands New Mexico
Santa Fe New Mex Dec 5th 1860

Received this fifth day of December 1860. of A.P. Wilbar. Surveyor of the Public Lands of New Mexico. the following Books papers &c Relative to Donation Claims in this District Viz: Record Book,
Book of instructions
125 Notices. Corresponding to Record Book.
13 Donation Notices not Recorded in the Book.
3 Rejected Notices with letter from attorney.
Letter of instructions to Sur. General from Commr. Genl Land Office. dated October 21st 1860

O.P. Richardson Register.
Wm A. Street
Register & Receiver of Public
Lands District New Mexico.

324

General Land Office
December 15th 1860

372 Sir:

I hereby acknowledge the receipt of yours of the 18th ultimo enclosing Contract and Bond No 22 of William Pelham and Reuben E. Clements Depnty Surveyors. dated November 15th 1860.

Respectfully
your Obt Servt
Jos S. Wilson
Commissioner

A P Wilbar Esq
Surveyor General
Santa Fe
New Mexico

General Land Office
Decr. the 21st 1860

343 A. P. Wilbar Esq
Surveyor General
Santa Fe
New Mexico

Sir:

Your letter of the 21st ultimo has been received. In Reply I have to state, that your views respecting the examinations of Surveys are in accordance with the instructions of this Office, given your predecessor, per letter, dated, Novr. 12th 1859.

But indiscriminate inspection of Surveys are not contemplated, but only in such instances in which the Surveyors General, after careful inspection of the field notes, have reason to apprehend that they have been faithlessly or defectively executed.

Very Respectfully
Your Obt Servt
Jos S. Wilson
Commissioner

General Land Office
January the 1st 1861

374 A. P. Wilbur Esq Sur: Genl
Santa Fe New Mexico.

Sir

I hereby acknowledge the Receipt of your letter.

dated Novr 29th 1860. accompanying which were three land Claims. approved by you. named and numbered as follows. Pablo Montoya No 41- Antonio Ortiz No 42- and the Ortiz mine No 43.

I likewise call your attention to my former letter, dated Oct 24th ult in regard to an inquiry therein. as to the Correct No of Mr Nolands Claim.

Respectfully Your Obt Servt
Jos. S. Wilson
Commissioner

Head Qrs Dept N Mexo
Santa Fe Jan 2d 1861

375 Sir.

I had the honor to receive your letter dated Jan 2. 1861. making certain inquiries with regard to the location of a fork, on the Canadian or Red River which I am directed to make, with every disposition to answer your inquiries whether touching your public or private duties I am wholly unable to Satisfy you at this time. I have made the reservation alluded to in your letter with a view to a speedy a location as possible & when so made specifically I shall make known my action immediately to the Land office in this City

Very Respectfully
your Obt Servt
Thos J Haustleroy
Col 1 Drag
Comg Dept

A. P. Wilbur Esqr
Surveyor Genl
New Mexico

376

Las Vegas, Junio 22 de 1860.

Sr. Agrimensor General.

Sr.— Recibí su honorable fecha 26 de mayo del corriente año, é impuesto de su contenido, remito á V. para su nueva inteligencia el traspaso á mí hecho por Don Geronimo Gonzales, el cual me es por V. requerido de presentar.

Sin otro asunto por ahora,

Soy su muy atento Servidor
José Ulibarrí.

file with the Letters of '61.
Jos Rose

General Land Office
January 7th 1861

377

A. P. Kilbar Esqr
Surveyor General
Santa Fe. New Mexico

Sir

I have to acknowledge the receipt of your letter of the 30th November last transmitting particular approved plats of survey with attached Patent Certificates of the following Public Surveys:

San Juan; San Ildefonso; Taos; Sambé; Picuris and Pojoaque but unaccompanied with plats and authenticated transcripts of the field notes of the survey in extenso to be placed on file in this office as required in my letter of July 28 1860. & May 1st 1860

Also the receipt of your letter of the 1st ults transmitting approved account of Deputy Surveyors Messrs Wm Pelham and Reuben E Clements for the Survey of Preston Beck Jr Claim together with transcript of the field notes in extenso and patent certificate attached to the plat of the claim but without sketch plat to be filed in this office.

The Township lines as laid down on the plat appear to have been in numerous instances intersected by the boundaries of the claim and the field notes of the survey do not mention the fact nor do they describe Connections thereof with the nearest corners of the public Surveys. except the point of the intersection of the 3d Correction line Viz: "at 2.41 chs. intersected 3d Correction line 13.25 due West of the mile Corner in Range 21 E." This mile Corner should have been described as Corner to Sections 35 & 36 in Township 13 North. Range 21 E.- and all other intersections of the Township lines by the out- boundaries of the Claim should have been connected with the nearest Corners of the public Surveys and properly described.

The Survey is imperfect in that particular and cannot be accepted unless omissions on the part of Surveyors are supplied and proper returns made by them; to do this it will be necessary for them to return into the field and make the requisite Connections with the nearest Corners of public Surveys. to amend the field notes accordingly. and for you to represent Connections on the plat to be sent here for record and on the particular plat

attached to the patent certificate.

Very Respectfully
your Obt Servt
Jos S Wilson
Commissioner

Head Qrs Dept of New Mexico
Santa Fé. May 14th 1855

348 The Hon
William Pelham
Surveyor General of New Mexico

Sir.

On a recent visit to the White Mountains I selected a site for a Military Post at a point on the Bonito River, 18 or 20 miles above its junction with the Ruidoso, and desire to have reserved for Military purposes six miles in every direction from the Post. This tract of land will supply sufficient timber fire wood and grass for the Garrison intended to be kept there, and embraces very little land suitable for agricultural purposes.

There is in preparation at this time a Topographical Sketch of the Country roundabout "Fort Stanton" the name given to the Post. a copy of which will be handed to you as soon as completed.

I have the honor to be
very Respectfully
your Obt Servt
Jno Garland
Bt. Brigr. Genl. Comdg.

Albuquerque New Mexico
May 3d 1856

349 General

Mr J Mc Gowan who lately took up a location at the junction of Bonito and Ruydoso Rivers has left there through fear of the Indians the place being to far from the Fort he some month or more since has taken the place that Charles Jager selected the latter never lived upon the place and the only

improvement he made was to sow a handful of wheat he left there long since and only a month since he sells his claim to a Mr Cleny whose intention is to start a grocery and is at the business now when Cleny arrived there he found Mc Gowan at work upon the place and told him to leave for he had bought the place Mc. G. refused and is still at work and wishes me to refer the matter to you Mc Gowan is honest and a hard working Man & hope you will decide in his favor.

and obligs yrs Truly
D. D. Garland

please answer first opportunity and direct your letter to Ft Stanton Rio Bonito

D. D. G

Santa Fe May 29th 1856

380 Sir-

I have just been requested by his Excellency David Meriwether and Exofficio Superintendent of Indian affairs to make the Enquiry of you, to assertain how many of the Pueblo Titles which I placed in your hands have been acted upon. You will greatly oblige me by furnishing the desired information.

I have the honor
to Remain your
Obedient Servt
A. G. Mayers
Agent for the Pueblo
Indians of New Mexico

Genl J. H. Pelham
Surveyor General of
New Mexico

Santa Fe New Mexico
June 3d 1856

381 Sir-

I received instructions yesterday from his Excellency D. Meriwether & Exofficio Superintendent of Indian affairs to visit the following named Pueblos viz San Ildefonso Nambie Pojoaque Tesuque & Santa Clara. I will thank you to furnish me with a form in which I am to take the census I am also requested to say that as the Pueblos of Laguna &

acona have a Suit pending before the Court in which their titles are in dispute you will not act upon either of these two claims until both grants are filed with (him) you

I will be ready to start on the trip as soon as the forms are furnished in which you desire the census taken.

I have the honor to
Remain your Obt Servt
A. G. Meyers
Agent for the Pueblo
Indians of New Mexico

Genl W. Pelham
Surveyor General of
New Mexico
Santa Fe

Calabazas
Feby 1857

382 William Pelham Esqr
Surveyor Genl of New Mexico

Dear Sir

Enclosed please find a true Copy of the title papers to land owned by me in the Gadsden Purchase together with affidavits showing full compliance with all the Conditions as set forth in said document. I have deemed it better to send a full Copy of the original papers than any written Notice which I might draw up believeing that it will more fully show my Claim than any Statement I Could make.

Very Respectfully
Your Obt Servt
Leonardo Orosco

Ordinance - Office
Santa Fé, New Mex
April the 24th 1857

383 William Pelham
Surveyor General
Territory of New Mex

Sir -

As agend for the United States, I respectfully request, that the following tract of Land, viz: the North half of Township No. 18 North, Range No 20 East and the South half

of Township No 19 North. Range 20 East: also the Litt of land on the West. or fractional portions of Townships Nos 18 and 19 North. Range No 19 East of the Principal Meridian of New Mexico, lying between the half Townships before named. and a tract of Land known as the "Juntos Grant" may be reserved to the United States. from the public domain. for Arsenal and other military purposes.

Respectfully I am Sir,
your Obt Servt
W A Thornton
Bt Majr USA

Ordnance Office
Santa Fe New Mex
April 28th 1857

384. William Pelham Esqr
Surveyor General
Territory of New Mex

Sir

I had the honor on the 24th inst. as Agent for the United States. to file a Request that the northern half of Townships No 18 North. and the Southern half of Township No. 19 North Range No 20 East of the principal Meridian of New Mexico: also the fractional portions of Townships Nos 18 and 19 North Rang No 19 East of said Meridian lying on the West. between the two half Townships before Specified and a tract of land known as the "Juntos Grant" be reserved to the United States from the public domain. for Arsenal and other Military purposes. As I am desirous to submit all and the most authentick information I can obtain on the subject. will you be pleased to inform me if their is any Claim on record. for any portion of the aforesaid tract of land.

Respectfully I am Sir.
your Obt Servt,
W A Thornton
Bt, Mjr., U. S. A

General Land Office
January the 8th 1861

385 A. J. Wilbur Esq
Surv. General Santa Fe
New Mexico

Sir:

Your impression alluded to in your letter of the 29th of Nov. last. in Reference to the impossibility of embodying in the Patents description of boundaries. Corners. distances and material objects in terse professional language. disencumbered of all redundancy, and Requesting that our instructions of the 28th of July last in that particular may be modified has been received.

In reply I have to say that the extent of the patent Certificates Referred to in your letter is not considered objectionable. when compared with the advantages that will result to the grantees by securing to them more definite limits than they could obtain in case patents should merely give general boundaries.

For this reason I decline modifying the instructions Referred to. our experience having shown that there is no such difficulty in the matter as you apprehend.

Respectfully
your obt Servt
Jos L. Wilson
Commissioner

General Land Office
January 11th 1861.

386 Sir

Yours of the 16th ultimo has been received. It is believed that the attention of the Postmaster General has been called to the postal embarrassments to which you refer, and that his efforts are being directed to their obviation or removal. In the meantime you will send Communications to this office by the Route most likely to ensure their safe transmission and certain reception. I have to request that you will promptly transmit for adjustment the accounts for the salaries of clerks and incidental expenses of your office during the quarter which ended on the 31st ultimo.

should they not have been forwarded before this shall reach you.

Respectfully
your Obt Servt
Jos S Wilson
Commissioner

Alexr P Wilbar Esqr
Surveyor General
Santa Fé, New Mexico

General Land Office
January the 25th 1861

387

A.P. Wilbar Esq
Surveyor
Santa Fé
N Mexico

Sir:

Your letter of the 30th inst has been received to day, from the hands of J Howe Watts Esq your special messenger to deliver to this office all your Returns, plats, field notes, approved accounts, Correspondence &c.

In reply I have to express my surprise at the extraordinary method you have resorted to in order to transmit your official matter, you urge its propriety and necessity, in consequence of Indian hostilities and the failure of mail facilities with the States.

These facts did not warrant you in changing the usual medium of inter. communication which is provided by law. It was your duty to await the practicability of the customary mode, instead of resorting to any other in the absence of express authority.

It only remains for me to state that there is no law for such allowance and that for any cost in the premises you are individually responsible and not the government.

I am
Very Respectfully
your Obt Servt
Jos S Wilson
Commissioner

General Land Office
January 29th 1861

388 Sir

Your letter of Dec 30th 1860 has been received transmitting Claim No 44 and the accompanying Doecuments. which have been forwarded to the Secretary of the Interior requesting him to Submit it to Congress for its action

Very Respectfully
Your Obt Servant
Jos S Wilson
Commissioner

A P Wilbar Esq
Sur General
Santa Fe New Mexico

General Land Office
January 30th 1861

389 Sir

I have reported for payment your Salary account as Surveyor General for quarter ending December 31st 1860. amounting to $450.00 Your Communication of the 16th ultimo, in which you request that the draft be made payable to Messrs Hopkins. Harden & Kemp. of Baltimore, has been Transmitted to the First Comptroller of the Treasury for his consideration and action thereon,

Respectfully
Your Obt Servt
Jos. S Wilson
Commissioner

Alexander P Wilbar Esq
Surveyor General
Santa Fe New Mexico

General Land Office
Jan The 30th 1861.

391 A. P. Wilbar Esq Sur Gen
Santa Fe, N. Mexico

Sir.

Your letter of the 30th ults. has been received In it you inform this Office of certain errors existing in the diagram recently transmitted by you respecting the Grant of Preston Beck Jr, and ask their correction

This has been done for temporary purposes. In this Connection, however, your attention is called to the directions embraced in my letter of the 7th inst Concerning the Survey of said claim. and when

those are complied with. you will furnish this office with a new diagram of said grant on which the proper amendations will appear. I wish further to draw your attention to the Surveys of the claims of Anton Chico and Las Vegas, diagrams of which were received with your letter of the 22nd ult,

The Surveys of these claims have the same defect as that of Preston Beck Jr you will therefore Consider my directions of the 7th inst in the matter of said Claim as embracing the two above designated and proceed accordingly. I would also advise you that no account for the Survey of either of these claims can be reported for payment until it is shown that the defects Suggested have been supplied.

Very Respectfully
Your Obt Servt
Jos I Wilson
Commissioner

U. S. Land Office
Santa Fe N M
Feby 4th 1861.

391

Sir

Herewith I send you a copy & Certificate of the Reservation for Military purposes made by Col. Hamtleroy in this Land District

Very Respectfully
Your Obt Servt
O. D. Richardson
Register

A. P. Wilbar
Surveyor General
New Mexico

To O. D. Richardson Esq
Register Land Office N Mexo

Begining at the corner on the 3d correction line North of Range 29 East between Ts 12 & 13 N. at the Corner to Secs 3. 4. 33 & 34. thence South five miles along the Section line to the corner of 2. 11. 28. 33 & 34 for the South east of said Reservation in T 12 N. R. 29 E. thence West along the section line twelve miles to corner to section 2. 11. 28. 33 & 34 in Range 29 East T. 12 N. for the South West corner of said reservation thence North along the section line to the

Corner of Sections 3.4.9 & 10 in T 13 N. R. 27 E for the North West Corner of said reservation thence East 12 Miles along the section line to Sees. 3.4.9 & 10 T 13 N. R 29 East thence South five miles to the begining Corner,

I make the above reservation for Military purposes for Fort Butler on the Canadian Fork of Arkansas known as Red River & release all the reservation not included in the above and please Record in your office that it may not be interfered with by any one

Thos J Hauntleroy
Col Dragns
Comg Dept N Mexico

Santa Fe
Feb 1st 1861

U. S. Land Office
Santa Fe N M
Feby 3d 1861

I hereby certify that the above is a true copy of the Reserve made by Col Hauntleroy for Military purposes on file in this office

O. D. Richardson
Register

General Land Office
February 4th 1861

392 Sir

I have received yours of the 5th ultimo and have this day requested the Acting Secretary of the Interior to cause to be remitted to you the Sum of Five hundred Dollars to enable you to meet the Rent and incidental expenses of your office for the quarter ending the 31st of March next.

Respectfully
your obt Servt
Jos J Wilson
Commissioner

Alexr P Wilbar Esq
Surveyor General
Santa Fe
New Mexico

General Land Office
February the 4th 1861.

393 A P Wilbur Esqr. Surv. Genl
Santa Fe. New Mexico

Sir

Your letter dated the 8th of Decr. last enclosing a duplicate of the certificate in regard to the Las Vegas Grant issued from this office, to the Legal Representative of the heirs of Louis Maria Baca has been received.

Very Respectfully
your obdt Servt
Jos S Wilson
Commissioner

U. S. Land Office
Santa Fe, N. M.
Febry 6th 1861

394 Sir

I have to inform you that under the Preemption Act of September 4th 1841- the following Lands embraced in the Application of the heirs of Bden were preempted upon prior to your sending said application to this office viz- N ½ of Section No 34 the N E¼ & S½ of S W¼ & S ½ of S E¼ of Section No 27- in Township No 13 North of Range 29 East.

Consequently I cannot regard that portion of said application embracing these claims as falling upon Vacant Lands.

Very Respectfully
your obt Servt
O. P. Richardson
Register

Hon A. P. Wilbur
Surv General
N M

U. S. Land Office
Santa Fe New Mexico
Febry 6th 1861.

395 Sir

We hereby acknowledge the receipt of the application of the Legal Representative of the heirs of Luis M Baca deceased for the location of the

Second of the five Square bodies of Land Granted to them by an Act of Congress approved June 21st 1860 together with the certificate from your Office

Very Respectfully
your Obt Servts
O. D. Richardson - Regr
Wm A Street - Recr

Surveyor General
Santa Fe N M

U. S. Land Office
Santa Fe N. M
Feby 6th 1861

396 Sir

In reply to your inquiry of the 4th inst I have to inform you that all the Preemption claims lying within the Baca location. made in your Office on the 5th inst were filed in this office on the 2d instant.

Very Respectfully
Your Obt Servt
O. D. Richardson
Register

A. P. Wilbur
Surveyor General
N M

Santa Fe New Mexico
Feby 8th 1861

397 Genl A. P. Wilbur
Surveyor General

Sir

Your letter of the 6th instant has been received instructing us to proceed to the field and to make connections with all of the lines of the public surveys where lines of private surveys cross them.

In reply we acknowledge that such are the requirements of our Contract, but under the peculiar circumstances of our case we appeal as a justification to the following facts. Viz. The surveys of the Claims of Antonio Chico, Vegas, Beck, and E H Eaton were rendered very dangerous, as you are aware, in consequence of the attacks of the Indians, on the Citizens in the vicinity of Galestea, Hatches Ranche,

Chapareta, and Taylors Ranche and the frequent inroads upon the Stock to the South east of the Town of Vegas. Those and many more depredations were committed during and about the time of the execution of our Surveys, and upon the very lands embraced in our Contract. Such Indian troubles made it extremely difficult to procure assistants who would endanger their lives on a surveying expedition. application was made to the Military Commandant of the Department, by yourself in our behalf, for an Escort but in consequence of the demand for more troops to make the Navajoe Campaign, than were at the Command of that officer, he could not grant the request. therefore we were Compelled to make Survey with a hired Company as best we could. While we were Running the Eastern boundary of the Beck grant, a Company of Indians were seen a few hundred yards from the line and an attack was anticipated, but fortunately the Indians did not think proper to do so, notwithstanding they were at open war with troops of the Government and the citizens of the Country. In many places we saw fresh tracks and encampments, where they had been just before our arrival. as the Indians were known to be in the vicinity of our work and in considerable numbers, perhaps hundreds; and had made threats of which we had heard, that they would put us all to death, our assistants were restless and impatient at any delay, and even contemplated abandoning the expedition, under this State of the case, we were either compelled to abandon the Contract, or progress with its completion as speedily as possible, therefore as we had precedent that the Surveys of private land Claims and pueblos; Surveyed heretofore in this Territory, had only been connected to the public Survey sufficiently, to describe the lands embraced within them, and it being less expensive to the Government than to Connect at all of the lines, and the imminent danger from the presence of the Indians, and that it would take much time to make Connections to all of the lines which would render the lives of the whole Company very unsafe, we were reluctantly Compelled to dispese with such Connections as were not made.

as our work is well and faithfully Executed

the marks and monuments well made we hope that you and the Hon Comr. of the Genl Land office will not require us to perform impossibilities, for it is impossible to make a resurvey of those lands while there is from one to two feet of snow upon the ground, completely covering all of the means of subsistance, for draft animals, and while at the same time it is a well known fact, that no small number of men, can pass through the anton Chico, Beck, and the South Eastern side of the Vegas grants, without meeting hostile Indians and probably the loss of the lives and property of the whole Company.

In view of all these facts, and the further fact that several hundred dollars can be saved to the Government, by requireing the desired Connections to be made by the Surveyors who shall survey the lands adjacent to and which bound upon the lines of the private Surveys, to which service the connections properly belong, from the fact the connections will of necessity, have to be made then a second time (if they are made now,) we hope and belive, your sense of justice, and that of the Hon Comr. of the Genl Land office after we have faithfully, and well surveyed the boundaries of the claims of Vegas, Preston Beck, Anton Chico, and E H Eaton, will not for so small and trifling omission require us to loose all those Surveys, for the lands are principally, prairie, and therefore the whole lines will have to be re run and measured to find the localities of the lines and corners of the public Surveys, before the Connections can be made.

If such shall be your and the Commissioners decission, we will be compelled to bow to it but it will be the cause of the loss of a large outlay of expenses already made in the execution of the Surveys, as well as the loss of much hard labor.

We appeal to you as a practical Surveyor who can feel and sympathise with a brother Surveyor who has performed his work at great hazzard of life and property, to aid us to obtain the just compensation, which always should be awarded, to those who have earned by the sweat of the brow, their means of living. While there is not, out of some twenty Surveys of private lands in this Territory not one has been required to be Connected as you

3 460

require of us, we cannot believe your sense of justice and that of the Comr. of the Genl. Land Office will allow you to make "exceptions" of us and force us to loose so large sum of money as $9 000, which evidently will be the case if we shall not be paid for our labor which has been well and faithfully performed. With these remarks we will leave the subject, and ask you to be pleased to give them a careful consideration.

Very Respectfully
your obt Servants
Wm Pelham D.S.
R. E. Clements
Dept Survr

For letter of Feb. 8 from Surv. Gen. Kans. See No 403
" " " 15 " Clerk Land Office Dec 1861

General Land Office
February 23d 1861

398 A. P. Wilbar Esqr
Surv. Genl. of New Mexico

Sir,

Your letter of 20 January last together with Plats & field Notes of Surveys executed by Messrs Pelham & Clements under their Contract of Nov. 15th 60; and also their accounts one for public Survey and the other for E. W. Eaton Claim, has been received.

I have this day adjusted and reported for payment the former account amounting to $3332.36. with directions for draft to be sent to their address. Care of S. J. Spiegelberg. No. 32. Vesey Street New York city. per request in letter recd. from them: But the E. W. Eaton claim has been suspended for reasons stated in our letter to you of 15 instant.

I have to call your special attention to my instructions to your predecessor in Office, dated June 24. 18[illegible] in relation to the manner, which Subdivisional tracts of lands adjoining the Northern and Western boundaries of Townships are to be designated. the method pointed out in the printed Manual of Surveying Instructions, alluded to in that letter of instructions must be strictly adhered to and the lots numbered in accordance therewith. so as to

insure uniformity in the descriptions of lands by the Officers appointed for the disposition of the same.

Very Respectfully
your Obt. Servant
Jos S Wilson
Commissioner

General Land Office
Jany 6th 1861

399 A. P. Wilbar Esq
Surv. Genl. New Mexico

Sir

Your letter dated Nov: 30th 1860 has been recd. In it you suggest that the survey of the Las Vegas claim has been returned to your office, that its entire area consists of 496.446 acres & that it includes the Town of Tecolote having an area of 21.636.83 acres. you express the opinion that the deduction of the area of Tecolote should be made from the Las Vegas. Undoubtedly, as Las Vegas had limits. and if Mexican Government granted a part to Tecolote, the latter when confirmed by our government should hold so as to give effect to both claims But before taking final action by way of satisfying the five new locations for Las Vegas as contemplated by 6th Section of the act of 21st June 1860, Statutes 1860 page 72. you are requested to furnish this Office with the data on which you fixed the locality of Vegas and made the Survey. and send on the plats conforming to said data. by which the limits of Las Vegas were fixed & the area so ascertained as to justify your determination of the quantity Las Vegas is entitled to in making the new locations

Very Respectfully
Your Obt Servant
Jos S Wilson
Commissioner

342

General Land Office
March 21st 1861.

400 A. P. Wilbur Esqr
Surveyor General
Santa Fe New Mexico

Sir.

I am in receipt of your letter with inclosures dated the 13th ultimo, upon the subject of suspended accounts of Messrs Pelham and Clements Deputy Surveyors, for the Survey of the Preston Beck Jr: Las Vegas: Los Trigos and Anton Chico Confirmed private Claims together with that of E. H. Eaton which were received with your letters of December 1st & 22d 1860.

The accounts, five in number, amounting to five thousand nine hundred and eighty dollars and fifty-one cents have this day been adjusted and reported for payment with directions for drafts of all, except for the Survey of E. H. Eaton claim to be sent to Hiram M. Northrup, Kansas City, Missouri, as indicated in the accounts; and draft for the amount of Messrs Pelham & Clements" account for the survey of Eaton claim has been directed to be sent to them at Santa Fe New Mexico

Respectfully &c
Jos S Wilson
Commissioner

General Land Office
March 25, 1861.

401 A. P. Wilbar
Sur. Genl. of New Mexico

Sir -

Your letters of Decemb 23d & November 21st 1860. forwarding your Rent and incidental expense account for the fractional quarter ending September 30 1860. and the full quarter ending December 31st 1860. has been received

The account amounting to $730. has this day been adjusted and reported to the First Coptroller for his decision thereon.

Very Respectfully Your Obt Servt
Jos S Wilson
Commissioner

Treasury Department
Comptrollers Office
March 27th 1861.

402 A. P. Wilbar Esqr
Surveyor General of New Mexico
Santa Fe
New Mexico

Sir:-

Your accounts as Surveyor General of New Mexico on account "Office Rent &c for the frac. 3d & the 4th quarters, 1860, have been adjusted at the Treasury, and a balance of $769.81 found to be due by you to the United States, instead of $269.81 the balance stated by you: making a difference of $500 which arises as follows, viz:

by not charging yourself with the amount of draft No 4926 dated March 2d 1861 which had not reached you at the rendition of your account . . . . . $500.00

I am Respectfully
Your Obt Servt
H Medill
Comptroller

General Land Office
February 8th 1861.

403 A. P. Wilbar Esqr
Surveyor General
Santa Fe
New Mexico

Sir

Your letter of the 22d ult. transmitting the accounts of your Clerks for the quarter ending December 31. 1860 has been received
The accounts were as follows:

| | | | |
|---|---|---|---|
| J. Howe Watts. | Translator & acting Chf Clerk | $500.- | |
| Thomas Means. | Computor & Drftsman | $450.- | |
| Juan C Tapia | Copyist | 350. | |
| Philip Smith | " | 350. | |
| Joseph Rose | " | 336 | 1486 |

The latter amount falling short by $14. of the full quota for this quarter, owing to the excess of

very nearly this Sum during the quarter ending Sept. 30 1860, is in full of the apportionment and appropriation for Clerk hire in your office for the two first quarters of the present fiscal year.

The foregoing accounts have been reported for payment with the request that Drafts may be remitted to the persons indicated in the respective accounts.—

In this connection I have to advise you that Robert A Matthews late Chief Clerk in your Office under date of the 20th ulto notified this office of his having tendered you his resignation to take effect on the 10th of that month the time of the expiration of his leave of absence as he alleges. Since which time he has called at this Office with the view to settlement of his unpaid account as Chf Clk from October 1. to Decer 3d 1860. but there being no account forwarded by you in his favor and inferring from your letter of November 26th 1860 that there is nothing due him, I have to call on you for an immediate explanation in the matter.

I am very Respectfully
Your Obt Servt
Jos S Wilson
Commissioner

404

Treasury Department
Comptroller's Office
October 12, 1860.

Wm Pelham Esq
Surveyor General of New Mexico
Santa Fe, New Mexico.

Sir

Your accounts as Surveyor General of New Mexico, on account of your Office rent, fuel, books, Stationary and other incidental expenses for the 3d quarter, 1860, have been adjusted at the Treasury, and a balance of $218.93 found to be due to you from the United States, instead of $1.339.02 the balance Claimed by you making a difference of $1.120.09 which arises as follows, viz:

Amt of vouc. from 1 to 4 inclusive, of his a/c for the Qur, ending June 30. 1860. Susp.d being in excess of the

appropriation for that fiscal year $ 578.90
Amt. of Vo. 1 Chg.d in your a/c for frl. 3.d qur. 160 for Blank
Books purchased of Wm H Maurice Feby. 13. 160 Susp.d for
Same Reason as above 600.25 Overcharged in Vo. 2 herewith.
O. P. Hovey for Rent of Office from July 1 to august 28.th 1860
94
Diff.s as above $ 1.120.02

Very Respectfully
Wm Hemphill Jones
Actg. Comptroller

General Land Office
Febr. the 15.th 1861.

405 A. P. Wilbur Esq, Sur: Genl
Santa Fe New Mexico.

Sir:

Your letter of the 20.th ults. transmitting Plat of the Survey of the E. H. Eaton claim, with Patent certificate, and Field-notes of said Survey- also, Plats and Field-notes of the public Surveys executed by Messrs Pelham & Clements under their Contract with your Office of November 15.th 1860. has been received.

In this Connection I must call your attention to my letter of Febr 28.th 1860, addressed to your predecessor, requiring therein, that in following the Surveys of private claims the connection of the lines of private grants with those of the public Surveys should be shown.

The field-notes of the E. H. Eaton Claim, received with your said letter, are deficient in this prerequisite & it must be supplied in the manner pointed out by my letters to you of the 7.th & 20.th ults. in regard to Similar defects.

Respectfully Yours &c
Jos. S. Wilson
Commissioner

Culebra Colorado Territory
April 16. 1861

406 General

Sir

I take the liberty of troubling you for information respecting a grant of land to Mr Charles Beaubin or rather to his Son Narciso Beaubin deceased, and to others. whom I have never been able to ascertain, biz the names of the Claimants. the grant is said to have been Confirmed by act of Congress, but as there are some doubt about the Case, and not having seen his name mentioned in the approval of Certain grants made in N. Mex. I respectfully request from you information as to the legality of the Claimants. this tract of land is bounded on the North by the Sangre de Cristo and White Mountain. South by the Yutah Mountain (near Castilla) East by the dividing ridge of the range of the Rocky Mountains. and West by the Rio Grande del Norte. being formerly a portion of New Mex but now included this Territory. The Grant was approved by the Surveyor General of N. M. but whether it was approved by Congress or not is what I am most desirous to ascertain. Mr Beaubin has never exhibited any document proving his Claim to the tract or if he has done So. I have never been advised of that fact. Any information you may give will be most gratefully received

I have the honor &c
to be your most Obt. Servt.
C. D. Hendren

General A. J. Wilbar
Santa Fe
N. Mex

General Land Office
April 22d 1861.

407 Sir.

On the 28th February last an act was passed organizing the Territory of Colorado, as a separate Surveying District, and a Surveyor General Mr. J. M. Case has already been appointed and expects soon to leave for Colorado.

As this new District embraces that portion of New Mexico north of the 37° latitude in which the lines of

the public Surveys in your District have been extended from the Base and Principal Meridian in New Mexico, under the superintendence of the Surveyor General thereof, the Sur. Genl of Colorado, must have the evidence of these Surveys in his office for his future government in Closing the lines of the Surveys, Counting from the Sixth Principal Meridian, which will govern these Surveys in Colorado, upon those extended from New Mexico Base & Meridian.

In order to enable him to act understandingly in the matter, you are required upon the receipt hereof to collect all the original field notes & plats or Diagrams of those Surveys, now falling within the Territory of Colorado, together with other official documents relating either to public lands, or private Claims, pueblos, or any other papers and after preparing Inventory thereof, in duplicate, you will upon his written application, transmit them by mail to the Surveyor General Mr. Case, who will receipt to you for the archives one of which lists you will transmit to this office

If the original official documents be all bound up with other archives and cannot Conveniently be Separated from them, then you will prepare authenticated transcripts thereof, and transmit them to the Surveyor General of Colorado, with the exception of the muniments of land titles & grants.- These you will transfer in the Same Condition as they have been filed in your office. Keeping exact record of the Same for future reference.

The 37° parallel of north latitude, the present northern boundary of your Surveying District & the Southern boundary of Colorado, not having been establish ed, and marked on the face of the earth, you will in transferring the evidences, and other documents above alluded to, regard the Country situate north of the 7th Correction parallel as falling within the Territory of Colorado- you are requested immediately to acknowledge the receipt hereof with Statement of the probable extent of the documents to be transferred to the Surveyor General of Colorado.

Very Respectfully
Your Obt Servt
J M Edmunds
Commissioner

A. P. Wilbar, Esq
Surveyor General
Santa Fe
New Mexico

General Land Office
April 29th 1861.

408 A. P. Wilbar
Surveyor General
Santa Fé New Mexico

Sir

Your Salary account for the quarter ending 31st March 1861 amounting to $750 00/100 has been reported for payment with directions that the Draft be paid to Robert C Brooke assignee of John Gwyn Jr. to whom you gave Power of Attorney with "full power of Substitution or revocation"

In reply to your letter of 31st March ult. I have to say that we are informed by the Treasury Department that a Draft for the $750 00/100 the amount of your Salary for quarter ending 31st Decr. 1860 was sent to Baltimore Md. as you requested, on the 5th March 1861 and paid on the 9th of same month.

Respectfully
Your Obt Servt
J M Edmunds
Commissioner

General Land Office
May 2d 1861.

409 A. P. Wilbar
Surveyor General
Santa Fé, New Mexico.

Sir

Your letter of March 31st 1861. transmitting the accounts of your clerks for the quarter ending March 31st 1861. has been received. The same have been reported to the First Comptroller of the Treasury for payment with request that drafts due them be forwarded as indicated in said accounts.

Your Obt Servt
J M Edmunds.
Commissioner

General Land Office
May 2d 1861.

410 A. P. Wilbar Esq
Surveyor General
Santa Fé New Mexico

Sir

In reply to your letter of 31st March 1861 I have to state that the accounts of Translator and Clerks in your Office, to which you refer, were reported for payment on the 31st January last, and we are informed at the Treasury Department that the three Drafts made payable at New York were paid on the 16th March last, and the one payable at Baltimore was paid on the 9th march last. The account of J. Howe Yeatts Esq was reported for payment on the 25th January last and was paid to him at the Treasury.

Very Respectfully
Your Obt Servt
J M Edmunds
Commissioner

General Land Office
May 3d 1861.

411 To the
Surveyor General of
New Mexico
Santa Fé, New Mexico

Sir

In Consequence of very limited funds appropriated by Congress for the Surveying Service during the fiscal year ending June 30th 1862 and Corresponding Operations, both in the field and your Office, I take the earliest time to advise you of the absolute necessity of reducing expenses in your District, and that I have in adjusting the Compensation of Clerks in your Office fixed the following rates for the next fiscal year:—

The Compensation of Chief Clerk & Translator shall not Exceed ..... $2000 per annm
That of Draftsman whose duty it shall be to

examine the returns of the field notes and protract the same on plats shall not exceed — $1500 " "
One Clerk at — — —

General Land Office
May 11th 1861.

413

A. P. Wilbar. Esq.
Surveyor General of New Mexico.
Santa Fe. New Mexico.

Sir:

I acknowledge the receipt of your letter dated the 7th ultimo, your request that the Remainder of the appropriation for Office Rent &c. of the Surveyor Generals Office in New Mexico, be remitted to your Office, Can not be granted, owing to the exhaustion of the means by the extravagance of the local administration of your Surveying district, and to the failure of the deficiency appropriation to cover the deficit, thus Created. For instance. I refer you to the 4th and 5th items of the account of Mr Whiting for $ 167.00 Certified by you to be Correct, and which was received here for payment, with Mr Whitings letter of the 7th inst accompanied by your letter of explanation, addressed to this Office under date of the 7th of April last, you recommend the said account for payment; but we find that the two first items of 15 reams of foolscap and letter paper, alleged to have been purchased of Mr Whiting on the 7th day of August last, do not appear from the the return of property by Wm Pelham, former Surveyor General, nor from the list of Same turned over to his Successor, to have been in the Office of the Surveyor General on the 29th day of that month and year, and therefore the account Can not be entertained unless satisfactorily explained.

Very Respectfully
Your Obt. Servt.
J. M. Edmunds
Commissioner

352

414

Treasury Department
Comptrollers Office
May 13. 1861.

Alexander P. Wilbar. Esq
Surveyor General of New Mexico
Santa Fe. N. M.

Sir:

Your accounts as Surveyor General of New Mexico for Rent of your Office in New Mexico &c. for the 1st quarter, 1861. have been adjusted at the Treasury, and a balance of $129.69 found to be due by you to the United States. instead of $370.31 the balance claimed by you: making a difference of $500.— which arises as follows. Viz:

By your not Charging yourself with the amt. of Dft. No. 4920 dated March 2. 1861. which had not reached you at the time of the rendition of your account ——— $500.—

Very Respectfully
Elisha Whittlesey
Comptroller

General Land Office
May 21st 1861

414½ A. P. Wilbar Esqr
Surv. Gen. of New Mexico
Santa Fe. N. M. } Sir,

I have to acknowledge the receipt of your letter of the 26th ultimo, advising us of the removal of the Office of Surveyor General from the old building to one more convenient to the public, and one much safer for the Valuable public property and the Archives belonging to the Office".

I have to state, in regard thereto, that this Office should have been notified of the proposed change of location, before any new arrangements were made by the Surv. Genl.; and further, that a rental of $1200 per annum for your Office is considered by us as much too high, and, in making the Change, you should have endeavored to secure equally as good accommodation, at a reduced rent.

I have to Call your attention to the fact that Congress has made no appropriation to Cover the deficiencies Created by your predecessor and yourself for some time past, and in View of the Very limited appropriation for the next fiscal

year, to remind you of the necessity of exercising the strictest economy not only as to rents but in all other incidental expenses in your Office.

Respectfully
Your obt Servt
J. M. Edmunds
Commissioner

General Land Office
May 23d 1861

Alex. P. Wilbar Esq
Surveyor General of New Mexico
Santa Fé, N. M.

Sir,

415. I have to communicate to you for your information and instruction the following appropriations made by Congress for the Surveying Service in New Mexico during the fiscal year commencing on the 1st July 1861, viz,

1st For Compensation of the Surveyor General of New Mexico and Clerks in his Office, Seven thousand dollars, of which the sum of three thousand dollars is for the former, and $4.000 for the latter. $7.000.

2d For Compensation of translator in the Office of the Surveyor General of New Mexico two thousand dollars 2.000.

3d For rent of the Surveyor Generals Office in New Mexico, fuel, books, Stationery and other incidental expenses, two thousand dollars 2.000.

4th For Surveying the public lands and private land Claims in New Mexico, ten thousand dollars. But owing to the fact that the portion of the Surveying District of New Mexico lying North of the 37th degree of North latitude was incorporated into the Territory of Colorado per Act of Congress entitled "An Act to provide a temporary Government of the Territory of Colorado" approved February 28th 1861, the sum of $2.000 has been assigned out of the aforesaid ten thousand dollars, to the Territory of Colorado, for the Surveying Service under the direction of the Hon. Secretary of the Interior, leaving but Eight thousand dollars for the Surveys of the public lands & private land Claims in your District.

The foregoing means thus provided for the continuing of the Surveying Service in New Mexico during the next fiscal year must not be exceeded by you in creating liabilities on that account, and in order to comply with this requirement often disregarded in your Surveying District, you will employ a translator at the rate of $2.000 per annum, adding the duties of the Chief Clerk to be performed by him, and three other employees at $1500, $1300 &

$1200 as directed in my letter to you of the 5th instant, whose aggregate Compensation shall not exceed $6.000 per annum or at the rate of $1.500 per each quarter.

The appropriation of $2.000 under the 2nd head hereinbefore cited must be made adequate for the payment of rent of the Surveyor General's Office, and all other incidental expenses by Contracting Office liabilities commensurate with the appropriation therefor, To do this you shall make your future arrangements so as that the expenses of Maintaining the Office should not amount to more than $500. per quarter, and with the view to securing that object in all the Surveying Districts, there will be made no advances of funds to the Surveyor General to pay the Incidental Expenses of their respective Offices, but the accounts duly Certified by them and within pro rata of the appropriation for each quarter when transmitted by them immediately on the expiration of each quarter, will be paid <u>directly</u> from the U. S. Treasury to the parties entitled, by drafts sent to them in accordance with directions indicated by them in their Accounts. Upon the receipt hereof you are required to transmit to this Office, such Vouchers as you may have on hand for the disbursement of funds heretofore remitted to you to the extent of your indebtedness to the U.S. so as to Close the Account upon the books of the Treasury, and all accounts presented to your Office and unpaid for want of funds you are requested to forward here so that we may know the Amount thereof and submit an Estimate to the ensueing Congress for an appropriation to liquidate such liabilities incurred in contravention of repeated instructions to guard against similar excesses of expenditures over and above appropriations made by Congress.

The Sum of <u>Eight thousand</u> Dollars assigned to your District for the Surveys in the field, must not be exceeded by any Contracts you may make for that service. You will apply this fund to the payment of the Surveys of Confirmed private Claims and Pueblos, and of the lines of the public Surveys in so far only, as will be required to connect the former with the latter. And as the appropriation is inadequate for the exigencies of the Service applied for to your Office under the Treaty of 1848 at Guadalupe Hidalgo, and Confirmations of Claims by Congress, you will exercise your just discrimination as to which particular confirmed Claim and pueblos should be first surveyed, always first confining yourself to such of them <u>as are situated within the lines of the public Surveys,</u> and thereafter to such as are so near that it will require but small expenditure of funds for Connecting them by offsets run on townships, range or Section lines, with the nearest Surveys

of the public lands. The priority in point of Confirmation by Congress of the private Claims and pueblos is not to operate in favor of the precedence in the Surveys thereof, but the locality with respect to the existing adjoining public Surveys should entitle them to be surveyed in advance of other Claims differently situated. You will therefore upon the receipt of these instructions examine into the condition of such confirmed claims as are urgently required to be surveyed and are within the lines of public Surveys and select the greatest number of them, irrespective of the dates of their confirmations by Congress, and cause them to be surveyed during the next fiscal year to the extent not exceeding the sum of Eight thousand dollars appropriated for that purpose. In this connexion I have to communicate to you for your information and action that on the first of March last Congress passed "An act to confirm a certain Private land Claim in the Territory of New Mexico". This Claim is numbered 43, it was recommended for Confirmation by the Surveyor General in his report to this Office of the 24th November last, denominated, "Grant — Ortiz Mine".

As the Surveying Service in the field during the ensuing year will be of an unusually limited character owing to the restricted means provided for that purpose, the Clerical force above alluded to should be diligently employed in bringing up such arrears of the Office work as may exist, and among other duties their time should be occupied in preparing documents mentioned in my letter to you of the 22d ultc. and transmitted to the Surveyor General of the Territory of Colorado at Denver City, Colorado.

You are hereby directed to submit the Synopsis, the Annual Report and the Report itself with accompanying documents as specified in the instructions from this Office dated April 25th 1860 with this difference that the Synopsis with the accompanying Estimates should be mailed in time to reach here by the 15th day of August next.

I am very respectfully
Your Obt Servt
J. M. Edmunds
Commissioner

356

General Land Office
June 3rd 1861

A P Wilbar Esq
Surveyor General
Santa Fe N. Mx

416

Sir

I have to acknowledge the receipt of Your letter of the 10th ultimo, requesting that a Copy of the Statement of late Surveyor General Pelham's incidental expense account for the fractional third quarter 1860 ending Aug 28. 1860 be transmitted to you for filing in your office, Your predecessor having failed to leave said Statement among the archives

In compliance with Your request a Copy of the said Statement is herewith enclosed

Very Respectfully
Your obdt Servt
J. M Edmunds
Comr.

General Land Office
June 4th 1861

Sir

479

To enable this office to comply with the Resolutions of Congress, approved April 27. 1816. 1st July 1832 and the 1st Sec of act of 3d March 1851 requiring a list of the officers &c. Connected with the public service, exhibiting the State or Country in which each was born and the State or Territory from which appointed (1) You are requested to advise me, without delay, of the place of your Nativity and residence when appointed, also that of each person in your employ, specifying the character of the duties discharged by them, and the amount of their annual Compensation to be inserted in the Biennial Register now preparing for publication

Should there be any changes in your office to 30th September next You will at once Communicate them

Very respectfully
Your obdt Servt
J M Edmunds
Commissioner

Alex P Wilbar Esq
Surveyor General
Santa Fe N Mx

General Land Office
June 5. 1861

A P Wilbar Esq
Surveyor General
Santa Fe New Mex.

Sir

Your letter of the 4th inst. with the accompanying documents therein mentioned has been received

The error committed by the Deputy Surveyor in the Connection of the Claims of Preston Beck Jr and grant of Anton Chico with the Public Surveys, has been noted in the field notes in extenso, and in the Patent Certificate as You requested.

Very respectfully
Your obdt servt
J W Edmunds
Commissioner

General Land Office
June 6. 1861

A P Wilbar Esq
Surveyor General
Santa Fe New Mexico

Sir

Your letter of 8th ult. transmitting accounts of Philip Smith for services as Clerk in your office from April 1st to May 3d 1861 inclusive has been received. The said account showing balance due said P. Smith $120 92/100 has been this day adjusted and reported for payment with requisn. that draft for the amount thereof in his favor, be sent to Chas Thomas & Hopkins at Santa Fe New Mexico, as per direction therewith

Very respectfully
Your obdt Servt
J W Edmunds
Commissioner

Señor Agrimensor General del Territorio de Nuevo Mejico

420 Las personas que han colonizado la tierra Amarilla conosida con este nombre, nos encontramos con algunos embarazos y dificultades en razon de que la persona de Don Francisco Martinez, hermanos quienes fueron la causa instrumental para que las tales personas se abandonasen de sus intereses personales que algunos han puesto sus vidas intereses por el resguardo del lugar mensionado por las promesas del Señor Martinez, que hizo antes de que se verificara la poblazon, a' la fecha que se ha verificado con afanes y trabajos que han puesto los pobres y lo estan poniendo, no ha cumplido a' lo prometido, sino que el tiempo lo hemos pasado en bromas y con entretenimiento, y conosido el perjuicio que estan recibiendo los interesados que con su trabajo han adquirido todo el derecho del lugar mensionado; apelan a' V. como autorizado para que nos de su opinion segun el derecho tengamos por la merced y el trabajo que hemos puesto, el diez de este mismo mes tenemos una junta en lugar mensionado, y esperamos en la vondad de V. se sirva contestarnos lo que guzgue conveniente.

Ramon Salazar
Prto
Geronimo Gallegos
Juez de Paz
Pedro Salazar
Juez de Paz.

Abiquiu Julio 7 de 1861.

Don Fernando de Taos
July 6 1861

429 Dr Sir Please do me the favr to send me a discription of Nevacio Nolands Claim on the San Carlos river in the extreme Northwestern part of the Territory, many persons are anxious to get their boundaries and have written me upon the subject. I presume it is now in Colorado Territory

I have not troubled you about the alvarez Claim, as I supposed you would not act upon it until the vigil Case which is now pending in the Supreme Court of the Territory and which Contains the same points of law, was decided.

+ + + + + + + + + +

Yrs Truly
Theodore D. Wheaton

Genl. Wilbar

Victorio Ranch
June 29. 1869.

1422 Surveyor General of New Mexico

Dr Sir

By the advice of Mr Eastaday & others of Your Territory, I write to ascertain the boundaries of the Nolan Grant on the Ft Charles. I have settled on what is called hard Scrabble at an old Mexican Settlement which is said by some to be on the Nolan grant and disputed by others, I have made & am still making improvements, & am anxious to know whether I am on said Grant or not, an early reply would be a special favor, any expense incurred will be promptly remitted, Please direct to Cañon City Colorado Territory

Yours very Truly
Geo H. Victory

General Land Office
June 21. 1869

1423 Sir

1420 Your letter of the 24th ultimo has been received acknowledging the reception of our Communications of the 29. & of 2nd & 3rd of May last.

Referring to our letter of the 3rd ultimo. You remark that you find we "have reduced the Salaries of employees in "G. Land" office considerably and lessened their number one." You then remark that "this "reduction will not in" your "opinion be doing justice either to them "or the business of the office" and reach the Conclusion that it will "probably result in the office being deprived of the services of "the present Corps of employees." "and that the reduction in number "will materially the operations of the office,"

The terms of your exceptions to our allotment of Clerical service for the Surveyor Generals office of New Mexico, and my own sense of duty, require that I should be quite frank with you in the matter, We have but the limited sum of $8000 appropriated for Surveys in the Territory — The surveys in the field being thus limited it follows, that the returns thereof to the Gen Genl. office will be inconsiderable, That a just and energetic administration will be able to apply the whole office force in bringing up arrears of work, and with but little extra exertion disposing at the same time of current returns

These Considerations, of themselves, are quite sufficient in the Judgement of this office, to require the reduction of force, but the additional Reason that the sums stipulated in our letter of the

3rd Ulto, are all that can be allowed your office under the appropriations
& Contracting, boarding and watching the Deserts in the Territory, and
will not be departed from.

Should your force withdrawn upon the ground of inadequacy
of Compensations, you will promptly advise this office, so that
other arrangements, in that respect, may be suggested. In the mean
time or in any event for some time to come, no serious embarrass
ment is apprehended by the discontinuance even of the existing
Clerical force, in whole or in part, particularly when it is
considered a fact that comes home to the understanding of us all
that the trouble of the times were embarrassment, in the financial
affairs, of the Government, and it becomes the Executive, where
it can with propriety be done to retrench rather than
expand expenses,

In now calling upon you for an exhibit of the work
performed during the last six months, by each employé in
your office, with a schedule in detail of that work and to be
done, discriminating between such portions as, in your
judgment, can be deferred for a reasonable time, and
such as is of present exigency, it only remains for me to
direct that full effect be given to the instructions
to you of the 3d inst.

Very Respectfully
Your obt Servt
J M Edmunds
Commissioner

A R Walker
U.S. Asst Genl
Santa Fe N Mex

Surveyor Genl Office
Denver City July 1 1861

1124 To the Surveyor Genl of
New Mexico Santa Fe
N M

Sir

Will you please forward to me at this place as soon as an opportunity offers. of sending safely the plats and field notes of the Surveys made in your Surveying jurisdiction and now lying in the Territory of Colorado. Send also such receipts in blank as you desire any Deputy to give and return

Very Truly Yr obt Servt
Francis M Case
Surveyor General
Colorado

Surveyor Genl. office
Santa Fe New Mexico
July 26 1861

1125 Sir

I acknowledge the receipt since the last mail of your letter of the 21st ult, and in compliance with the instructions therein given me, to prepare an exhibit of the work performed during the previous six months by each employee in this office and a schedule in detail of the work on hand to be done during the next six months, — I have the honor to enclose to you the accompanying exhibits embodying the desired information as nearly as we can get at it.

The time established for labor in the office is six hours in the day a rule adopted since the organization of the office, and in imitation of the system at the General Land office, I assure the Comr that the Genl in the employ of the Govmt in this office have been uniform in attentive (except in the case of one of the discharged Clerks) and efficient in the discharge of their respective duties

Of course I have, in the regulations of my Clerical force and the assignment of Salaries for the current fiscal year been governed by your instructions of May 3d, though the Compensation is small, the Clerks will accept it, hoping that the diligence and ability of the Govmt will provide better for them for the ensuing fiscal Year. I have the honor

Very Respectfully
Yr obt Servt
A P Wilbur
Surveyor General

# Exhibit of the work performed by each Clerk in

| Names of Clks | Description of work performed |
|---|---|
| David J Miller | General Translating and interpreting for the Sur. Genl, the office & Copying the same for Genl Land office & Congress, information & points, filing, arranging, registering, indexing out quarterly accounts, returns &c. and attending to Correspon |
| Thomas Means | Protracted & Calculated the Surveys of the Surveys, also the Fort Butler reserve in duplicate, Corrected & such Scientific explorations as could be procured, & made also the Calculation of the Baca grant & assisted in Compar |
| Juan C Tapia | Copied plats in duplicate of the Surveys of the |
| | the Fort Butler reserve, and also map of the Surveys of that |
| Philip Smith | Copied field notes of the Surveys of the Pueblos |
| | field notes of the connection of the private land Claims with |
| Joseph Rose | Recorded the field notes of Townships No 35 R |
| | E. & T. 8, S. R. 4 E. and recorded Sixty Two letters sent from the |
| Chs B Maynedier | Copied the field notes of the T. 8. & 9 Correction lines |
| | 36 N. the field notes of all the Townships surveyed between |
| | attached the same to the plats of the Pueblos and private |
| | Land office at Santafe, made out duplicate Contract |
| | assisted in Comparing field notes, and attended to the |
| | Denver Colorado Territory. |

| | |
|---|---|
| note | The time of Philip Smith was fractional |
| | " " " C. B. Maynedier do |

There have been a great many duties performed by the Clerks generally that cannot well be specified & one week was Consumed in moving the office and arranging the papers and appertinances of the office.

The above is by

the Surv. Gen'l's office for the 6. mon. ending June 30th 1861.

translating documents relating to land in the land Claim branch of
overhauling and searching among old Spanish archives for desired
&c Spanish grants of land. General duties of Chief Clerk. making
dence of the office
Public & private land Claims and their connection with the public
improved the Map of the Territory in accordance with the surveys
out ten descriptive lists for the use of the Land office at Santa Fe
ing field notes &c
Public & private land Claims, & Ten maps of the Territory as corrected
portion of the Territory assigned to Colorado
& private land Claims & the Certificates attached to the plats, also the
the public surveys.
5 E. T. 4 S. R. 3. 4 & 5 E. T. 5. S. R. 3. 4 & 5 E. T. 6 S. R. 3 & 4 E. T. 7 S. R. 2 3 & 4
office & thirty two received
North of the guide meridian through Townships 29 30 31. 32 33 34 & 35 &
the 7th & 9th Correction lines. North. made out several Certificates and
land Claims. made out six descriptive lists for three of the
with Thomas means. for the survey of private land Claims &c
preservation of the papers & plats for the surveyors office as

Surveyor Generals office
Santa Fe New Mexico
July 25. 1861

The above is a true exhibit of the work performed
by the several Clerks, during the 6. months ending
June 30. 1861.

A P Wilbar
Surveyor General

mistake in wrong book

Exhibit of work to be performed in the Surveyor Genl office
at Santa Fe during the fiscal year ending June 30 1862

32 Private land Claims now docketed to be acted upon
a great many in office not docketed and others that may
be presented

Descriptive lists to be made out for the use of the Land
office at Santa Fe of the surveys heretofore executed.
The field notes of all the surveys to be recorded with the
exception of those reported Recorded by Josh Rose
The work under Contract to be examined, protracted
Calculated & prepared for the Genl Land office
The annual reports, quarterly accts and the general
correspondence of the office
The reports of the private land Claims that may be
acted upon during the fiscal year to be forwarded
The translation of private land Claims that may be
acted upon to be copied & forwarded
A record to be made of all the proceedings had before
the Surveyor Genl in relation to private land Claims
A record to be made of all letters received and also
of those sent from the office
A record to be made of all reports and also of all
quarterly accts

Surveyor Genls office
Santa Fe New Mex
July 28 1862

The above is a Correct Exhibits of the work to be done
in the office during the fiscal year ending the
30th June 1862 as nearly as the same can be
ascertained

C. P. Wilson
Surveyor Genl

Exhibit of work from the records
in this office

General Land Office
July 3rd 1861

425 J. P. Wilbar Esq
Surveyor General
Santa Fe N M

Sir

I have to acknowledge the receipt of your letter of the 7th ultimo. Transmitting fourteen plats in duplicate, and notes, in extenso, of certain Pueblos and Claims therein described

Very respectfully
Your obt Servt
J. M. Edmunds
Commissioner

General Land office
July 22d 1861

426 Alexander P. Wilbar Esq.
Surveyor General
Santa Fe
New Mexico

Sir

Your letter of the 1st ultimo transmitting the acct. of Mess Pelham & Clement, Deputy Surveyors, for surveying the "Corrections" of the private land claims therein named, with public surveys, has been received.

The account amounting to $57.22/100 has this day been adjusted, and reported to the first Comptroller of the Treasury for payment, with directions that the draft for the amt be sent to Mess. Pelham & Clement Santa Fe New Mexico, as requested in the account

Very respectfully
Your obt Servt
J. M. Edmunds
Commissioner

General Land office
July. 26. 1861

427 A P Wilbar Esq
U S Surveyor General
Santa Fe New Mexico

Sir. Your Communication of the 30th ult. in reference to the payment of your Salary for the quarter ending that day, together with letter of same date transmitting Salary accounts of the Clerks in your office for the same quarter, came duly to hand the said accounts have been this day adjusted and reported for payment, with directions that drafts for the several amounts be forwarded as respectively indicated on the faces thereof

I have requested the first Comptroller of the Treasury to remit the amt of your Salary for quarter above mentioned. To augusto Merino Esq. 4 Front St. Philadelphia Pa as per your direction

Very respectfully
Your obdt Servt
J M Edmunds
Commissioner

General Land office
July. 30th 1861.

428 To the
Surveyor General
Santa Fe New Mex

Sir

Your letter of the 30th ult. with accompanying account and vouchers has been received — also yours of the 29th ult. relating to the manner of paying the several amounts mentioned in your Statement of Receipts and disbursements made by you during the quarter ending June 30 1861.

The account and vouchers are herewith returned for your correction so as to conform to our instructions of May 23d 1861 which you acknowledge having received before the transmission of said account and vouchers.

according to those instructions, you were to transmit such vouchers as you had on hand for the disbursement of funds heretofore sent you "to the extent of your indebtedness to the U S. So to close the account upon the books of the Treasurer." "and all accounts furnished to your office and unpaid for want of funds" you were

requested to Certify and forward here. So that we might know the amt. thereof and submit an estimate to the ensuing Congress.

In your letter of the 29th ult. you request that the large amounts, mentioned in your Statement of disbursments be sent to the parties who have furnished vouchers for the same. This cannot be reported for payment on the evidence furnished, as that shows them to have been paid by you already, and are placed to your Credit in the accounts submitted by you.

Such accounts as are to be paid directly to the individuals, should have been simply Certified by you and not receipted, and a seperate account made out for such expenditures as were actually made from funds heretofore transmitted to you, the account to be accompanied by proper vouchers. which will be reported for payment when deficiency appropriation is made for the amount submitted to Congress on the 3d inst

Very respectfully
Your obot Servt
J. M Edmunds
Commissioner

General Land office
July 30th 1861

429 Sir

The Presidt of the United States having appointed John A Clark to succeed you as Surveyor General of New Mexico, You are authorized and requested on his exhibiting to you his official bond duly executed, to deliver to him all the instruments, books, papers, documents, furniture, and articles of every description appertaining to said office and to take duplicate receipts for the same, particularly enumerating the various articles, one of which you will be expected to transmit immediately to this office

Your official duties will terminate on the day preceding his Clark entering on duty

Very respectfully
Your obot Servt
J. M Edmunds
Commissioner.

Col A P Wilbar Esq
Surveyor General
Santa Fe N. Mex

Surveyor Generals office
Denver C. Ter aug. 9. 1861

430 Hon A P Wilbar
Surv. Genl New Mex
Santa Fe N M

Sir

Through the politness of Jno Q Houghton, I have the honor to acknowledge the receipt of your letter of July 22 1861, with the accompanying package of field notes & plats, the particular discription of which you will find on the duplicate receipt herewith enclosed.

I am truly Your obt Servt
Francis M Case
Surveyor Genl of Colorado

Surveyor Generals office
Denver City Colorado
Aug. 9. th 1861

Received of A P Wilbar Surveyor General of New Mexico the original Fieldnotes of the Surveys of the eighth and ninth Correction Lines North, of the exterior lines of Townships 33. 34. 35. & 36 N, Ranges 8 9. & 10 E. a Transcript of the guide Meridian between Ranges 8 & 9. E. through Townships 29. 30 31. 32 33 34. 35 & 36. N of the exterior lines of Township 29. 30. 31 & 32 N Ranges 9. 10. 11. 12 & 13. E. also the original plat of the Surveys North of the Eighth Correction Line and a Copy of the plat of the Surveys North of the Seventh Correction Line

Signed Francis M Case
Surveyor Genl of Colorado

Animas City San Juan Creek
Feby 16. 1869

431 Genl. A.P. Wilbar Esq
Dr Sir

Yours of the 31. ult. enquiring as to the character resources. &c of the valley of the San Juan river, was this day reached me, having spent much of the past summer in exploring this this valley, and having returned but yesterday from an exploration of the San Juan river to its confluence with the Rio Colorado, I take great pleasure in placing in your hands all information at my disposal. I also send you per to days express. field notes of the San Juan valley that will be found approximately correctly.

I was first induced to visit this valley from the belief that there was rich gold deposit in the Sierra La plata range. In this I was not mistaken, an extended examination during the past summer, verified the fact. The gold fields of the Sierra La plata range is about one hundred miles in length by twenty in breadth, gold is presented here under all most every ~~circumstance~~ Combination of circumstance known to miners. The quartz lead. are numerous. of immense magnitude and unsurpassed in richness, Gold disintegrated from quartz is found in all the streams. This district is supplied most amply with water for mining purposes. the Climate is such that the mining may be successfully Conducted from six to Eight months in a year. This range affords, silver Copper, and iron in large quantities. From the great altitude of the Sierra La plata range heavy snows with cold prevail during several months high up in the mountains. The southern slope of this mountain range furnishes unsurpassed grazing, and is also heavily timbered. This section lies North of Spanish trail and South of Summit of range, and embraces an area drained by the San Juan of 1.L to two squares miles, twenty five per Cent of which (this alluvial valley of tributaries of the San Juan) is good agricultural Lands. South of the Spanish trail the valley of the San Juan and its tributaries are among the finest agricultural valleys upon the Continent and of large extent averaging over two mile in breadth and often

widening to six miles. Climate extremely mild and pleasant almost entirely free from snow. a very large percentage of table land in vicinity of San Juan. possesses a rich soil, and very fine pasturage, The Valley of the Rio de los Animas and San Juans, are strewn with the ruins of cities, many of them of solid masonry stone buildings three stories high. are yet standing of Aztec architecture, an immense and prosperous Population than at some former period resided here. and but few localities are capable of sustaining a more numerous one. Bituminous Coal is found every where in the Valley of the San Juan and it tributaries, near the confluence of the Laplata and the San Juan a bed in the strata of which afforded me a fine opportunity of examining the Coal seams there being three. the upper one being about four feet in thickness, and within twenty feet of surface, Second one seperated from first by Sandstone, and six feet in thickness. the third seam ten feet thick also seperated by Sand Stone of very fine quality from other seams and about fifty feet from surface, Iron of almost virgin purity in the vicinity, The San Juan for the last twenty miles of its course flows, through a deep Canon, Cut down through a plane and this Island south of the San Juan and East of the Colorado, embracing an area of of Several thousand square miles, is rarely equalled for grazing and agricultural purposes, with climate all that could be desired. population is rapidly tending this way.

Animas City is a Town of twenty or thirty houses and others are going up every day, Scarcity of provisions alone has prevented it being a Town now of Several thousand inhabitants, Population with supplies are rapidly arriving, and many farms being taken up and improved + + + + + + + + + + + + an early survey of this valley would be of incalculable benefit

I have the honor to be ...

Very respectfully
Your obt Servt
Ch Baker.

General Land office
July 30th 1861

To the
Surveyor General
Santa Fe
New Mexico

Sir

In reply to the suggestion contained in your letter of the 29th ult. that the unexpended balance of the appropriation for Surveys of public and private lands for the past fiscal year be used in surveying public and private lands during the present fiscal year. I have to say that in consequence of apparent liabilities on account of balances of retained percentage being due several Deputy Surveyors on supplemental accounts, no more Surveys can at present be ordered under the appropriation for the last fiscal year.

Balances of this kind appear to be due to J.H. Garretson & J A Terry on their Contract of Janry 28th 1858
Also to R B Clements on his " " May 15. 1858.
" " " " " " " " Oct. 3 1859
" " " " " " " " Aug 30. 1858
and there may be balances due to other deputy Surveyors on supplement account.

You are requested to examine the books of your office and report to this office the amount due to deputy Surveyors on their retained percentage over and above the cost of the examination of their surveys — and as far as possible give the present address of said ~~Surveyors~~ deputies

In this connection I would refer you to our letter to your predecessor of May 4th 1859

Very respectfully
Your obdt Servt
J. M. Edmunds
Commissioner

372

General Land Office
July 30th 1861

433 Sir

I have to acknowledge the receipt of your letter of July 6th enclosing Contract dated 4th Inst. with Thomas Means Esq. to furnish with the special instructions given him.

Very Respectfully
Your obdt Servt
J W Edmunds
Commissioner

Surveyor General
Santa Fe
New Mexico

General Land Office
Aug 2d 1861

Sir

1434 I have to acknowledge the receipt of your letter of June 20th enclosing an abstract of purchases and a "Return of property"

In relation to the account of Mr Hutting I observe that you do not include the paper purchased of him in the above "return" but as your letter of June 8th satisfactorily accounts for it, it will be paid in due time,

"You are requested to include it in your next "property return"

Very respectfully
Your Obdt Servt
J W Edmunds
Commissioner

Surveyor General
Santa Fe
New Mexico

General Land Office
Aug. 15th 1868.

1431 ESH

Your communication to this office dated 7 inst from J. S. Watts Esq. and a letter accompanying the same from your self to that Gentleman dated 6th July 1868. it appears that the claim of Ignacio Noland was filed in your office, the evidence taken, and the case ready for report before the organization of the Territory of Colorado but that you did not report upon said Claim, because it lay partly in Kansas, and you now decline to do so on the ground that it falls within the limits assigned to the New Territory of Colorado — and under the instructions of this office, to which you refer, you propose to send the case for adjudication to the Surveyor General of that Territory.

The instructions of 22nd April 1862, did not contemplate the turning over by you to the Surveyor General of Colorado any Case which had been heard by you and was ready for report. The Case now under consideration is represented by Mr Watts and admitted in your letter to him to be in that condition, such being the fact you will proceed to report upon the Case irrespective of the Colorado act. inasmuch as at the time of hearing, the Claim was within your Jurisdiction.

The objection to your action on the ground that a part of the Claim was within the former limits of Kansas is not entitled to consideration that fact of course will appear in your report, and it is your duty to pass upon the Title of the Claim, whether the whole or only a small portion of it was situated within New Mexico

You will report the Case accordingly.

Very respectfully
Your obt Svt
J. M. Edmunds
Commissioner

A. P. Sheldon Esq
Surveyor Gen
Santa Fe N. M.

General Land Office
Augt 25 1861

Sir

Referring to my letter of this date in relation to the Claim of Gervacio Noland. I desire to know whether there have been presented two Claims in that name— one having been already acted on and returned with your report of 15th September last, under No 9 since corrected to No 39 by your letter of November 1860.

Very Respectfully
Your Obdt Servt
J. M Edmunds
Commissioner

H. P. Kibbe Esq
Surveyor Genl
Santa Fe N.M

General Land Office
August 25. 1861

Sir

Your letter of July 28th has been received— You suggest that the $2000, transferred from the appropriation of $10,000 for surveys in New Mexico, to Colorado, may be restored to the former, in reply I have to state that the Secretary of the Interior having directed the transfer of $2000 of the appropriation for New Mexico, to the surveying service of Colorado, which comprises a part of what was included in the former Territory, the arrangement has been effected and the Surveyor General of Colorado notified of it, and this disposition of the above amount cannot now be altered or revoked

Very respectfully
Your obedient Servt
J. W. Edmonds
Commissioner

Surveyor General
Santa Fe, New Mexico

General Land Office
August 28. 1861

Sir

I have to acknowledge the receipt of the "synopsis of report" dated July 27th together with an estimate of the appropriations for the office of the Surveyor General of New Mexico for the fiscal year ending June 30. 1863

Very respectfully Your obt Servt
J. W. Edmonds Commissioner

Surveyor General
Santa Fe New Mexico

Genral Land Office
October 2d 1861

To the Surveyor Genral
Santa Fe New Mexico
Sir

Your account current of receipts and disbursements under the appropriation for the incidental expenses of your office, during the quarter ending June 30th 1861, has been this day adjusted and reported to the first Comptroller of the Treasury for his decision thereon — the several accounts accruing during same quarter under the abov appropriation, transmitted to this office with Sur Gen'ls letter of August 30th last, for direct payment to the parties have also been this day adjusted and reported for payment, with request that drafts for the respective amounts be forwarded as per directions therewith

Very respectfully your obt. Servant
J. M. Edmunds
Commissioner

General Land Office
September 23, 1861.

Surveyor General,
Santa Fe, N.M.

Sir — I have to acknowledge the receipt of your letter of the 30th ult. transmitting contract No. 24, dated Aug 20, 1861, for the subdivision of Township 15 N. Range 8 E. In reply to your letter of the 29th of June last, wherein you suggested that the unexpended balance of the appropriation for Surveys of public and private lands for the past fiscal year be used for similar surveys during the present fiscal year, as stated, in our communication of the 30th of July last, that, for reasons therein expressed, no more surveys could at present be ordered under the appropriation for the last fiscal year; and you were at the same time called upon to report to this Office information regarding amounts due Deputy Surveyors on their returned per centage, &c. This Office has received no reply thereto — and I have to state, therefore, that no action can be had upon the contract herein referred to until you furnish the information called for. It is desirable that our communication of the 30th July last should receive your immediate attention.

Very respectfully,
Your Obt. Servt.
J. M. Edmunds,
Commissioner.

General Land Office October 19th 1861

Surveyor General
Santa Fe New Mexico
Sir

I have to acknowledge the receipt of letter of September 5th and 7th in reference to the annual report of the Surveyor General of New Mexico, and also to inform you of the receipt by this office of the documents mentioned therein

Very respectfully your obt Servt
J. W. Edmunds.
Commissioner

General Land Office October 29th 1861

To the U.S. Surveyor General
Santa Fe New Mexico
Sir

The Salary accounts of the employés in your Office for the quarter ending on the 30th ult. transmitted to this office with Surveyor General Walbach's letter of the 5th inst. and amounting in the aggregate to $1500 00/100 have been this day adjusted and reported for payment, with request that drafts for the respective amounts be forwarded as per directions therewith

Very respectfully your obt Servt
J. W. Edmunds
Commissioner

General Land office
October 29th 1861

Surveyor General
Santa Fe N. Mex.
Sir

I have to state that this office is in receipt of your communication of the 5th inst. transmitting the field notes plats &c of the survey of the Ortiz mine Grant and of the Location No 2 of the heirs of Luis Maria Baca

Very respectfully
Your obt Servt
J. W. Edmunds
Commissioner

General Land office
October 31st 1861.—

To the U.S. Surveyor General
Santa Fe New Mexico

Sir

The incidental expense accounts of your office for the quarter ending on the 30th ultimo, transmitted with Surveyor General Wilbar's letter of the 5th inst in favor of

| | | |
|---|---|---|
| Ann E. Houston | for rent of office | $300.00 |
| Feliz Tapia | " services as messenger &c | 100.00 |
| Johnson & Wethered | " Stationary etc | 4.50 |
| amounting in the aggregate to — — — | | $404.50 |

have been this day adjusted and reported for payment, with the request that drafts for the several amounts be forwarded as per directions on their respective faces

Very respectfully
Your obt. Servt.
J. M. Edmunds
Commissioner

General Land office
November 6th 1861

To the U.S. Surveyor General
Santa Fe New Mexico

Sir

I have this day adjusted and reported for payment, the account of Alexander P. Wilbar for salary as Surveyor General of New Mexico for the quarter ending Sept. 30th 1861 with request that a draft for $700.00 the amount thereof, be forwarded to Moritz Joseph, care of Joseph Jacobs & Co. No 83 Leonard St New York, as per his directions in letter of the 6th ultimo.

Very respectfully your obt. Servt.
J. M. Edmunds, Commissioner

General Land office November 7: 1861

Sir

In reply to yours of 11th ult. asking to be furnished with the U.S. Supreme Court reports, for the use of your office in connection with land claims I have to state that in view of expense of said reports, and the fact that they are not regarded as indispensible to the proper performance of your duties, it is not proposed to furnish them— Should any case of difficulty arise in the investigation of private claims, in which the principles involved may render a reference to those decisions desirable, this office may be consulted in the matter, and will give the necessary

instructions or furnish the decisions bearing upon the particular case or cases—

Very respectfully
Your obt. Servt.
J. W. Edmunds
Commissioner

John A. Clark Esq.
Surveyor General
Santa Fe N. Mx.

General Land Office
November 12th 1861

John A. Clark
U.S. Surveyor General
Santa Fe New Mexico

Sir

The salary accounts of the Clerks in your office, together with that of Messenger for the fractional quarter ending on the 9th ultimo, transmitted with your Genl Wilbur's letter of the 9th ultimo, have been this day adjusted and reported for payment, with request that drafts for the several amounts be forwarded as per directions on their respective faces.

Very respectfully Your obt. Servt.
J. W. Edmunds
Commissioner

General Land Office
November 22d. 1861

John A. Clark Esq
Surveyor General
Santa Fe, New Mexico

Sir

Your communication of the 26th ultimo, covering statement of balances due to deputy surveyors in your District on amounts retained per centage on their contracts has been received

Upon examination of the statement it has been found that the balances therein set forth as due to the respective deputies differed from those as spread upon the books in this office — By statement herewith you will perceive what amounts are due them and for which you are requested to transmit supplemental accounts, so that the same may be liquidated — In reference to the survey executed by Wm Garretson under his contract of April 5th 1856, I find that the same has been properly paid for and contract closed, leaving no liabilities on that account. Very respectfully &c J W Edmunds
Commissioner

John A. Clark Esqr.
Surveyor General of New Mexico
Sir

In pursuance to instructions received from Alexander P. Wilbar Esqr. Surveyor General of New Mexico, on the 28th day of August last, I proceeded to Township No 9 N. between Ranges 11 & 12 East, for the purpose of subdividing the Townships specified in said instructions, after a careful search of two days for water, the nearest water found to the point of beginning was Caballo Spring in the grant of Chilili, twenty two miles West of the point of beginning — Some seasons water may be found in this section of country in Lagoons or ponds when it rains, but at this time none to be found — Being informed by a Mexican, that if I would go to Cañon de Arroijo which is about fourteen miles from the 2d. correction line Ranges 11 & 12 E. in a N.W direction I'd find water

I proceeded to Cañon de Arroijo in which I found a stagnant pool of water & alkie, this water being within three miles of Township 11 N. Range 11 E. I surveyed two exterior boundary lines of said Township, and subdivided the same — At the end of six days my men became so sick from drinking this stagnant salt water, that I could not continue longer in this section of country; besides the great scarcity of water, the Apache Indians at this time were so bad all through this section of country, that my little party became alarmed and threatened to leave me should I continue my work in this part of the country — Compelled to move my camp to a place where I might find protection and water for my party I made a selection of fractional Townships No 15 & 16 N Range 7 E. also Township No 16 N Range 8 E. and subdivided the same in connection with survey of the claim of Serafin Ramirez. These Townships are connected with the grant of the Pueblo "Santo Domingo" — The soil is good, susceptible of cultivation, plenty of good water, good grass, some settlements on each — I thought by my subdividing these Townships I would be attending to the interests of the Government fully as much as if I was able to carry out the Surveyor Generals instructions of the 28th August last

These are the the reasons why I did not comply with the instructions and hope that they are satisfactory in themselves to the Surveyor General

I remain your obt. Servant

Thomas Means
U.S. Deputy Surveyor.

Santa Fe N.M.
December 3rd 1861

Santa Fe N. Mexico
December 31st 1861

John A. Clark Esq.
U.S. Surveyor General
Dr Sir

Under contract with Thomas Means Esq Deputy surveyor dated 4th July 1861 for the survey of certain private land claims, as had been confirmed by Congress, in connection with the public surveys, I changed his work upon his arrival here; in view of the difficulties which attended the entire survey of private claims, and directed him to proceed to subdivide T.8 & 10 N. Rs 12 13 & 14 E. as you will see by reference to my letter of instructions to Deputy Means dated August 28th 1861.

The law of Congress making appropriation for surveys in New Mexico provides for both public and private surveys, and the Surveyor General is empowered not only by law, but by instructions from the Genral Land office, to exercise his best discretion in the advancement of the surveying department — This was frequently done by my predecessor Mr Pelham, and always approved of by the Commissioner at Washington

At the time Mr. Means had his contract, in consequence of Indian difficulties and other troubles of our country, I concluded that it would be better to have some of the public work done up, especially, or it would require some public surveys to be made to keep pace with the private land claims that the work might always be connected

Col. Means requested me to address you a few lines on this subject and I hope that this is satisfactory

Very respectfully your Obt. Svt.
A. P. Wilbur

John A. Clark Esq.
Surveyor General of New Mexico
Sir

Being informed by you that you have rejected the survey of the claim of Serafin Ramirez, I deem it proper to state the grounds upon which I made the survey — First, I was by the Surveyor General furnished with the following boundaries of said claim. Bounded on the East by the Ojo del Puerto, on the South by the Canon del Agua, on the West by the banks of the Rio Grande and on the North by the line of the Pueblo of San Felipe, which is one league from the centre When I called on Serafin Ramirez to point out these boundaries he, Serafin Ramirez, remarked that his claim did not run with the four cardinal points, that the S.E. corner of his grant was the point called the Lagunitas Indios and the S.W. corner was the point

called the Lejas de Fecundas at the same time producing a printed document of confirmed land claims in which Lagunitas Indios and Lejas de Fecunditas were mentioned as boundaries in his claim — He also gave me a diagram of his claim (being withe an intelligent Mexican, and pointed out the absurdity of surveying according to the boundaries furnished by the Surveyor Genral, that such survey would leave out his residence at "San Pedro" which he considered nye near the centre of the claim, that he had bought the interests in said grants and had them confirmed in his name — I saw at once the boundaries furnished me by the Surveyor Genral would leave out his residence, and following the instructions furnished by the Genral Land Office "call on the claimants to point out the boundaries of there claims" I made the survey according to the boundaries pointed out by Serafin Ramerez & Ignacio Lopez. believing there was an error in the boundaries furnished by the Surveyor Genral, which was afterwards found to be so

The Surveyor Genral will please remember that Serafin Ramerez claimed in your presence and in your office the boundaries which my notes describe, but it would appear he claimed by virtue of three grants, two of which are not yet confirmed Then should the location of the claim be found not to be in accordance with the grant I am not in fault — the Surveyor Genrals instructions to me are found to be wrong.. I had no source of information but only through the claimant and neighbours, which information I received as given by them in good faith — I surveyed the claim in good faith and reported the field notes of such survey to your office — I think I am entitled to pay for my services

I remain your Obt Servt
Thomas Moore
U.S. Deputy Surveyor

Santa Fe Jany 4. 1862

General Land Office
December 26. 1861

John A. Clark Esq.
Surveyor Genral
Santa Fe New Mexico

Sir

Your letter of the 27th ultimo in reference to an error in the connection of the public surveys with the Pueblos of Santo Domingo and San Felipe, has been received

The plats and transcripts of field notes on file in this office are found to contain the error to which you have referred viz: representing the connections to have been made upon the line between Townships No 13 & 14 N R 5 East instead of the line between Tps. No 14 & 15 N R 5 E.

The same error is found upon the Patent certificates accompanying said claims — You are requested to make the necessary corrections upon the original Plats, field notes and Patent certificates on file in your office, and inform this office as soon as you have done so, in order that the proper corrections may also be made upon the returns made to this office

Very respectfully your obt. Servt.
J. W. Edmunds
Commissioner

General Land Office
January 4th 1862

John A. Clark Esqr.
Surveyor General
Santa Fe New Mex.
Sir

Your letter of the 30th Ult. last enclosing a sketch of the survey of Nero Grant and other documents relating to the location of the same has been received

The boundaries of the claim as surveyed by Mr. Means embrace a much larger tract than is allowed under Mexican decrees, and are not sustained by any evidence furnished in the inefficient report of your deputy, John M. Clark — his alleged examinations not being supported by the affidavits of the individuals examined

The only available testimony furnished being the affidavit of Jesus Lopez which you obtained at Santa Fe — You are requested to engage his services to accompany you to the place which he describes as being the point called Aguaje de la Yegua, and which he says is distant from the plaza of Lower Mora from 2½ to 3 leagues — about due East

In making this personal examination you will seek corroborative evidence, under oath, from persons residing in the vicinity, and at Lower Mora so as to satisfy yourself as to the true Eastern boundary intended in the grant and as to any conflict of boundary with the claims of John Scolley et al.

You are required to report to this office the result of your examinations, and in rendering your account of expenses incurred proper vouchers should be furnished in support thereof

With reference to the examination made by your agent John M. Clark I have to say that it should not have been ordered, in view of the instructions issued to your predecessor under date of Sept. 16. 1859 to which you are referred — His account therefore for expenses incurred in making said examination cannot be allowed

Very respectfully your obt. Servt.
J. W. Edmunds, Commissioner

General Land Office
January 31. 1862

John A Clark Esq.
Surveyor General, Santa Fe, New Mexico.

Sir

I have received your letter of the 4th instant desiring to remove S. G. Office to another building to reduce the rent.

I approve the proposition. In fact regarding the present rate as enormously high, I was about addressing you in the matter, when your letter came to hand — You will take care to secure a place to be rented by the quarter, that will afford perfect security to the public archives and upon the best terms, and upon each of these points you will furnish this office with the data upon which you may make the new arrangement

There is another subject which has engaged the attention of this office, and that is, the justice of reducing expenses in view of the limited amount of service now in the Surveyor Generals office, and the probable diminished appropriations for surveys for next year, growing out of the extraordinary pressure upon the Treasury

These facts considered, this office directs that the force in the New Mexico Surveying District, shall be reduced to Surveyor General, Translator, who shall act as Chief Clerk, and draughtsman, the last two to fill up their time in writing necessary transcripts of field notes, & documents connected with private claims

By close attention, and reasonable assiduity, with an extension of hours if necessary, this force it is believed will be adequate to all current demands, and upon this basis you will adjust it from and after the close of the present quarter.

Punctuality of attendance and diligence will best be secured by realizing the necessity of promptly disposing of the current work, and acting upon such realization — If in this view there is no means of determining time in the office, the Surveyor General is authorized to purchase a clock not exceeding in cost ten dollars

Very respectfully your Obt. Svt.
J. M. Edmunds
Commissioner

Genral Land Office
February 3d. 1862

John A. Clark Esq.
Surveyor General
Santa Fe New Mexico
Sir

I have to acknowledge the receipt of your two letters of the 4th ultimo, in reference to the survey of Thomas Means Dep. Surveyor - together with the copies of letters from Mr. Means and the former Surveyor Genl relating to said surveys.

In order that this office may have the means of judging more correctly as to the merits of the Surveys above mentioned, you are requested to forward at your earliest convenience, the transcripts of field notes of the surveys of the claims of Wm Lamy, Serafin Ramirez and Juan of Nuro

Very respectfully &c
J. W. Edmunds Commr

Genral Land office February 10. 1862

Sir

With a view to furnish information, in an easily accessible form, at the seat of government, respecting the character and value of the public domain, and its diversified products, this office invites your co-operation in obtaining, and transmitting specimens through such facilities as may be presented, from time to time, when gentlemen are resorting to the capitol, as we have no appropriation applicable to the matter, and, consequently, can incur no expense

It is desired that specimens be transmitted of -

(1st) The precious metals and ores
(2d) The useful metals of copper, lead, iron, tin
(3d) Coal in its varieties
(4th) Salt
(5th) Soils
(6th) Of interesting fossils, petrified organic remains, each to be accompanied by a description memoir, and so connected by numbers as to identify the specimen with the text

Authentic, well-prepared sketches are desirable of the topography of the Country; growth of timber; and advance and character of improvements

You will please acknowledge the receipt of this, and advise me to what extent you may be able to realize the desire of this office in the premises. I am respectfully your Obedient Servant
J. W. Edmunds, Commissioner

General Land Office
February 15th 1862

John A. Clark Esq.
Surveyor General
Santa Fe New Mexico

Sir,

In reply to your letter of the 30th November last I have to state that on the 24th Dec. last a copy of your letter was sent to the Indian office, with the request that this office should be furnished with the field notes of the survey of the two Reservations established for the Gila Apaches and Pima and Maripora (Maricopa) Indians — On the 13th inst. the acting Commissioner of Indian affairs, has remitted the two plats of the Reservations (copies herewith) and states that the field notes have not been received by that office — As soon as the field notes arrive copies thereof will be transmitted to your office

Very respectfully your Obt Servt
J. M. Edmunds, Commr

General Land Office
February 28. 1862.

Sir

I have received your letter of 14 December last, in relation to a difficulty experienced in complying with the instructions from this office of August 21. 1854, on the subject of proving up city, town and village claims under act of July 22. 1854

Those instructions authorize such claims to be made and proved up before you by the corporate authorities — You state that there is no incorporated city, town or village in New Mexico — no town authorities — and hence there is no one to officially represent such communities; and you wish to know who shall represent the towns in proving up titles to the lands within their limits — and submit the propositions —

1st That the citizens shall formally appoint by vote or otherwise, an agent to present and prove up their claims

2d That any one, without apparent authority be allowed to present and prove up claims

In answer I have to state that the first, is the proper and only course to be pursued in the matter. Let some responsible individual or individuals be selected by the properly boards of the town, and duly authorized to act for them — who on proof satisfactory to you of such delegated authority, shall be recognized as agent for such town, and in the absence of

Corporate authorities, permitted to represent the town in proving up the claim

Very respectfully your obt. svt
J. M. Edmunds Commissioner

John A. Clark Esq.
Surveyor General
Santa Fe N. M.

General Land Office
March 27th 1862

John A. Clark Esq
Surveyor General
Santa Fe. New Mexico
Sir

In reply to that part of your communication of the 4th January last advising this office of your disapproval of the returns of the subdivisional surveys of Townships 11 N. R 11 E; 15 & 16 N. R 7 E. and 16 N. R 8 E. for the reason that they are not embraced in the surveying contract of Thomas Means Deputy Surveyor, dated July 4th 1861, I have to say that, your action in the matter is sustained on the following grounds:

Your predecessor in office on the 28th May last, was specially directed on the subject in the following language "The sum of Eight thousand dollars assigned to your district for the surveys in the field, must not be exceeded by any contracts you may make for that service, you will apply this fund to the payment of the surveys of confirmed Private claims, pueblos and of the lines of the public surveys in so far only as will be required to connect the former with the latter"

Wherefore the then Surveyor General entered into contract as aforesaid for the survey of the out-boundaries of 15 different Mexican titles & private land claims, together with two locations for heirs of Luis Maria Baca deceased, and stipulating the survey of such public lands as may be necessary to connect the private land claims.

It further appears, that that office under date of August 28th 1861 issued in contravention of previous advice from this office special instructions to Mr. Means for the subdivision of Spn. 9 & 10 N. R 12. 13 & 14 E. which these lands to grant grantees, Deputy was prevented from expending the appropriation in unauthorized surveys, but in lieu thereof Mr. Means proceeded to subdivide the 4 Spn. first above mentioned, without any authority save his own volition, relying as he says in his explanation to you

of the 30th Dec last, on the following inspiration viz! "I thought by my subdividing three Townships I would be attending to the intents of the Government fully as much as if I was able to carry out the Surveyor Generals instructions of the 28th August last"

Mr. Means having been heretofore employed in the Surveyor Generals Office, and acquainted with laws and instructions relating to the survey of the public lands, and private land claims, cannot plead ignorance in justification of his course, punishable by law, vide; Statute at Large Vol 2 page 445, the first section of which Declares "That if any person shall survey Government lands or cause to be surveyed, or designate any boundaries, thereby marking any trees or otherwise, until thereto duly authorized by law, such offender or offenders shall forfeit all his or their right title and claim if any he have"

For the forgoing reasons the subdivisional surveys, executed by Mr. Means, without any authority and in derogation of our positive instructions to the Surveyor General, and without the least authority from the latter, are hereby repudiated

I am very respectfully your Obt Servt
J. M. Edmunds
Commissioner

General Land Office March 28th 1862

John A. Clark Esq.
Surveyor General
Santa Fe New Mexico
Sir

Referring to your letter of the 4th January last, in which you informed this office that you had rejected the survey of Jose S. Ramirez's claim as executed by Thomas Means Dep. Surveyor- I have to observe that upon examining said survey in connection with the transcript of his field notes and the confirmation of the grant as set forth in the public document to which you refer, no essential discrepancy is discerned between the survey and boundaries as designated in said document The description first furnished the deputy viz: "Bounded on the N. by the line which extends the league of San Felipe, on the S. by the Cañon del Agua; on the E. by the Ojo del Huerto with its commons; on the W. by the banks of the Rio del Norte" appears to have been correct - except that it did not include the extension of one league (not one square league) on the North to the points designated as "Las Lagunitas de los Indios" and "Loja de los Fenendilas" on page 226 of the public document to which reference has been made - Of these and the other

See letter page 391

prominent points in Mr. Means' survey should be well known and well defined and identified, this office can see no reason why the survey should not be approved

You are requested, however, before you approve the survey to make a critical examination of all the evidence in your office bearing upon the case. You will also call upon the Deputy to explain how he obtained the courses of his long lines so as to strike the corners correctly, and to state why the N.W. corner is not on the bank of the Rio Grande as stated in the description — Should you thereafter require further instructions you will report the result of the further examination now ordered and await departmental orders before final action in the way of approval

The transcript of field notes referred to in your letter of the 1st inst. is herewith returned

Very respectfully your obt Servt
J. M. Edmunds
Commissioner

General Land Office
April 9. 1862

Sir

Your letter of 1st Inst. requesting leave of absence to 1st July next has been referred to the Secretary of the Interior, who directs that leave for sixty days may be granted —

Should circumstances justify a more extended absence, application for a renewal of your furlough must be made, before the expiration of the period above named

Very respectfully.
Your Obt Servt
J. M. Edmunds
Commissioner

Wm. A Clarke, Esq.
Surv. Genl. for New Mexico
Fort Leavenworth Kansas

Genral Land Office
May 10th 1862

John A Clark Esq.
Surveyor Genral
Santa Fe N M
Sir

The transcript of field notes of the survey of the claim of Bishop John Lamy, executed by Thomas Means Dep. Sur. which was received with your letter of the 1st March last, has been examined The survey appears to be in conformity with the confirmation by congress, and as no objection to the manner in which the work was performed has been made by you, this office can see no reason why the account of Mr Means for said survey should not be submitted for payment

It appears that the East boundary was not run in place, but was surveyed by offsets - In making up the account you will of course allow for the direct distance, instead of the offsets

The transcript of field notes is herewith returned

Very respectfully your Obt servt
J. M. Edmunds
Commissioner

Genral Land Office
May 10th 1862.

John A. Clark Esq
Surveyor, Genral
Santa Fe N M.
Sir

This office has had under examination the case of Town of Mora Grant - Claim No 32 House of Reps Ex. Doc. 14 1st Session 36 Congress pages 180 to 192 inclusive in reference to the question as to its proper boundaries, which are described in the grant as follows:

"the genral boundaries of this tract, being for the benefit of the grantees and for common pasturage; on the North the Ocaté river; on the South to where the Sapiyo empties; on the East the Aguage de la Gegua, on the West the Estillero"

The subject is dealt with in your reports of Nov. 30. 1861, Dec. 4th 1861 and April 5. 1862

The plat of the survey of the claim by Deputy Surveyor Means embraces about thirty four Townships - excluding two Townships on the South in view of the "Scully grant" No 9, which is excluded from Mora, being in Means survey of the latter 32 Townships, 37,280 acres, extending from Township 16 N R 21 E to Tp. 24 N. R. 14 E.

We now proceed to consider the question of limits:—
(1st) The Grant expressly fixes the Ocate River on the North:
(2d) On the South where the Sapéyo empties:
(3d) On the East the Aguage de la Yegua;
(4th) On the West the Estillero

The 1st 2d & 4th are natural boundaries, well defined and laid down on the Means plat. The understanding in regard to the 3d the Aguage de la Yegua, is the difficulty

It is designated on the Means plat as in the S.W. corner of T. 16 N. R 21. E. about 2 miles from the junction, in T 18 N R 19 E. of the Sapeyo and Mora rivers — If that is the true locality it is not an Eastern boundary, which the grant calls it but a Southern one — Although the weight of the parol testimony sent on, gives that as the locality of that Yegua, yet the affidavit of one of the witness gives it a locality, more reconcilable with the general boundaries in the grant, by placing it about 12 miles East of the town of Lower Mora

The Aguage de la Yegua is a Spring or hole of water, of a class that never dry up, and used as a Camping place

None of the testimony sent here is signed by any of the witness, nor their statements accompanied by the usual affidavits

This question involves the title to an immense extent of country and should be settled in my judgment after the publication of the issue made — with a statement as to the effect upon the grant of assuming either the one or the other of the points stated, to be the call of the grant — At a time and place to be fixed by you, after public notice, you should hear the testimony of parties known to be reliable and disinterested; and after a further and personal examination by you on the premises

It would be better first to give publicity to your proposed examinations on the spot and therein call upon the most reliable and disinterested witness for their testimony, and thereafter you will determine what in your judgment is the real locality of the Yegua, which will reconcile it with the terms of the grant

Upon your further report final instructions will be given

Very respectfully Your Obt. Svt
J. W. Edmunds
Commissioner

General Land Office
May 19. 1862.

John A. Clark Esqr.
Surveyor General
Santa Fe N.M.
Sir

The survey by Thomas Means Dep. Sur. of the claim of Serafin Ramirez was before this office in March last, but exceptions to the survey were not then taken in our letter of the 25th March last, as it was then presented — Since that time however, in connection with your oral explanations, the matter has undergone a further examination, and we find the description of the grant furnished on page 222 H.R. report No. 321 1st Session 36th Congress as follows. "on the North to the outlet of the arroyo (gully) of Chimal; on the South to the outlet of the arroyo of San Antonio; on the East the little mountain on a line with the said Inels; and on the West, the one belonging to and styled Sandia"

The confirmatory act of Congress, approved June 21st 1860 which bears upon and confirms this claim does so according to this description, with the addition of an inward limit on the South for a stock range of one league, containing 5000 varas. vide page 226 of the document hereinbefore mentioned

All these boundaries appear to fall within, or nearly so, the erroneous survey made by Mr. Means under his contract dated July 4. 1861, and therefore the true boundaries of the grant to José Serafin Ramirez have not been surveyed and remain to be established in the field, in strict conformity to the confirmation and our instructions of April 23 and Sept. 16 1859 pointing out specific duties of the Surveyor General, and his deputies in reference to the survey of finally confirmed private claims in New Mexico

You will therefore issue the requisite instructions for the survey of the claim in strict accordance with the confirmed description, advising Mr. Means that his survey of the Ramirez grant not being in conformity to the confirmation, and as such useless, no payment can be made therefor

It was Mr. Means particular and special duty as prescribed in the letter of instructions from this office to the Surveyor General under date of Sept. 16. 1859. to correctly ascertain and fix the locality of the grant which he entered into contract to survey in strict accordance with the terms of the confirmation; and whenever in the field to call on the claimant to point out and prove by satisfactory evidence the call of the grant, and to see that the official data and such evidence agree, and unmistakably

See letter of April 28, 1862

fix the true boundaries of the grant.

You will bear in mind that the price of $15. allowed per lineal mile for the survey of the confirmed claims and communicated to your predecessor in office under date of April 23d. 1859, applies to the outboundaries of such claims and not to meander offset lines that may be run with the view to determine the distances of those outboundaries in their true places, hence in computing the miles surveyed you allow for the aggregate of miles actually run and marked and which were necessary to be run in order to define the true boundaries of the claims, and also for distances of those outboundaries impracticable to be surveyed in place, obtained either by triangulation or offsets

Very respectfully your obt. servt.
J. M. Edmunds
Commissioner

General Land Office
May 24th 1862

John A. Clark Esqr
Surveyor General
Santa Fe New Mexico

Sir

By the act of Congress approved March 1. 1862 making appropriations" for sundry civil expenses of the government" for the year ending June 30 1863, there is appropriated as follows:

1st" For surveying the public lands and private land claims in New Mexico" $5000 100

By another act approved March 14. 1862 making appropriations for the legislative, executive and judicial departments for the year ending June 30 1863, there is appropriated for the surveying service in New Mexico

2d." For compensation of the Surveyor General of New Mexico and the Clerks in his office" $7000.50/100

3d." For compensation of Translator in the office of the Surveyor General of New Mexico $1826.09/100

4th For rent of the Surveyor Generals office in New Mexico fuel, books, stationary and other incidental expenses $2,914.00/100

5th For rent of the Surveyor Generals office in New Mexico fuel, books, stationary and other incidental expenses $914.36/100

Under the provisions of the organic law approved July 22. 1854 the maximum rates per mile for surveying the public lands in New Mexico were allowed by the decision of the Secretary of the Interior as follows:—

For principal meridian, Base and Standard parallel lines, at not exceeding twenty dollars per mile

For township and subdivisional lines, at not exceeding $12 per mile

These rates were contemplated to be reduced when found practicable to do so, consistently with the faithful execution of the surveys — In the opinion of this office proper time has arrived for the reduction of the foregoing rates, allowed in the beginning of the surveying service in New Mexico, and therefore it is hereby made your duty, in letting contracts to have the surveys executed by professional and faithful deputies, not to exceed the following rates; viz:

Ten dollars per mile for meridian, Base and Standard lines
Eight dollars per mile for township lines and
Seven dollars per mile for subdivisional lines

The appropriation of $5,000, under the first head you will chiefly apply to the survey of confirmed private claims and the lines of the public surveys to the extent required to connect them with the claims, under the principle laid down in our instructions of the 23d May 1861 — In making contracts for the surveys you will embody therein an explicit agreement that the work must be executed in strict accordance with the General Land Office Manual of Surveying Instructions dated February 22d 1855, and such special instructions for the survey of confirmed private claims as you shall issue to your deputies, based upon directions given by this office to yourself and your predecessors in office respecting the proper duties of surveyors in your district

The appropriations under the second head viz: $7,000 includes $4,000 for the compensation of Clerks in your office which with the amount under the 3d head viz: $1826.99/100 and the unexpended balance of former appropriation, will amount in the aggregate to about $6,000 for the compensation of the clerical force in your office for the next fiscal year.

In view of the limited extent of the field work authorized for the next fiscal year, the appropriation for the clerks is not to be exhausted but so economized as that the force indicated in my instructions of the 30 January last be made adequate for the transaction of the public business, should however, exigencies arise for the increase of the clerical force for the casual dispatch of public service, you are hereby authorized to employ such additional force, but for no longer time than it shall be indispensibly necessary and not exceeding the means appropriated for the purpose

The appropriations under the 4th & 5th heads (the latter being for the purpose of liquidating liabilities created in excess of the appropriations of March 3. 1859 and June 28 1860) are to be husbanded by restricting your expenditures for the service and articles required for immediate use

The rent of the Surveyor Genrals office at Santa Fe, should be reduced to $500 per annum payable quarterly

The last Surveyor Genral in his annual report to this office under

date of August 29, 1861 brought to the notice of this office the arrears of the office business, especially in the recording of old field notes, which he stated were very considerably behind — and said it was important they be brought up — In reply to this suggestion I have to say that there exists no necessity for the recording of the field notes of the surveys, the original notes are to be preserved, so that they will answer all the purposes for the eventual transfer thereof under the policy of Congress — Should there be any other confirmed office business, which should have been kept up in former years, you are required to suffer no such accumulation of the work, and will endeavor to bring up the arrears of the same within the scope of the means provided for.

You are reputed to prepare and submit to this office, to be received here on or before the 1st of August next the estimates for the surveying service for the fiscal year ending June 30 1864, dispensing with the usual Synopsis of the annual Report, but the Report itself with the proper accompanying documents must be here by the 15th October next, and you are directed to mail it in season to reach this office by that time

You will prepare in tabular form a list of all the townships surveyed in your district, showing the areas of the public lands, confirmed private claims and reservations, the limits of which have been defined by actual surveys extending the same to the total column for each township, or when this is impracticable to do, aggregating the same under specific name of the claim or reservation, so that the list will exhibit the number of townships subdivided in New Mexico, per form herewith enclosed, and let the same be made part of your annual report, but need not be in triplicate, one copy thereof will answer the purpose.

A question has been raised and is now under consideration by the appellate authority as to whether the terms of the 10th section of the act of congress approved March 2d 1861 — Pamphlet laws page 220 do not extend to and require surveying contracts to be given out to the lowest professional bidders — You will therefore defer letting any contracts until a decision thereon is had, which is soon expected and will be promptly communicated to you

You are requested to acknowledge the receipt hereof

I am very respectfully your obt. Servt

J. W. Edmunds

Commissioner —

General Land Office May 30th 1862

John A Clark Esq.
Surveyor General
Santa Fe N. M.
Sir

On your letter of the 24th inst. you were desired to defer letting Surveying contracts until a decision was had of the appellate authority as to the applicability of the 10th section of act of 2d March 1861, to Surveying contracts.

The Secretary of the Interior has endorsed to this office for our Government, the opinion dated 28th May 1862 of the attorney General, in which he does not regard said section as applicable to Surveying contracts, and at the same time presents the following views which are quoted for your information and government.

"In all contracts for service which presuppose trained skill and experience, the public officer who employs the service must be allowed "to exercise a judicious discrimination, and to select such as in his "judgment possess the required qualifications"

"Of this class are contracts for surveying the public lands, the "service to be performed requires not only fidelity and integrity but "a certain kind of skill and knowledge, and the officer whose "duty it is to let the contract, is bound to know that the person he "employs possesses those qualifications"

No saving in compensation would justify the employment of an incompetent or dishonest surveyor over a skilled and honest one, and no public officer whose duty it was to employ a surveyor ought to allow such a consideration to influence his action

Pursuant to the foregoing action of the appellate authority you are at liberty to proceed with letting contracts in accordance with our instructions of the 24th inst.

Very respectfully your obt servt
J. M. Edmunds
Commissioner

General Land Office
June 7th 1862

John A. Clark Esq.
Surveyor General
Santa Fe New Mexico
Sir

Herewith I transmit a copy of the "National Intelligencer" of May 31st 1862, in which you will find "an act to reduce the expenses of the survey and sale of the public lands in the United

States approved May 30th 1862, the 1st section of which declares that Contracts shall not be binding upon the United States until approved by the Commissioner, except when otherwise specially ordered, therefore you when you make a contract let the Deputy distinctly understand the existence of the legal requirement, as to the Commissioners approval, and the further requirement in the 2d section, to wit: that the General Land Office Printed Manual dated 25th February 1855, the instructions of the Commissioner, the instructions of the Surveyor General, not in conflict, are to constitute a part of the contract for surveying the public lands, which stipulations you will embody in the contract, as the requirements of said Manual will be strictly and invariably enforced.

Upon making a contract send on promptly a transcript accompanied by a statement of the reasons for selecting the region embraced by such contract, whether on account of the density of actual settlement or other grounds relied on as subserving the public interest — Upon receiving the transcript, when the contract is unobjectionable, you shall be promptly advised and thereafter duplicates will be furnished by you to the Deputy, that he may at once be able to proceed to execute the surveys contracted for

The 10th Section of the act of congress approved May 30th 1862 authorizes the Survey of public lands not mineral, surveyed by the Government, of such township or townships as the settlers therein shall desire to have made at their cost, without any claim to indemnity on the United States: You are therefore hereby directed, upon the written application of such settlers, complying with the provisions of the aforesaid law, to cause the survey of the lands applied for to be executed, and to make the usual returns of the field notes and plats of the same, in the same manner as if the lands were surveyed at the expense of the Government with this difference, that the work contracted for, must be completed and account rendered in full in favor of Deputy Surveyor, payable out of the appropriation for Surveying the public lands and private land claims in New Mexico to the credit of which the settlers of said township, shall have first deposited the requisite funds for the Survey of said township, and all other expenses incident thereto, and filed certificate of deposite in your office, which you will soon thereafter transmit to this office

When an application is made to you under the law for the survey of a township, at the expense of the settlers thereof, you will estimate its cost at the rates authorized by this office, together with the expense of the office work incident thereto, such as examination of the returns of the original field notes, protraction

of the original township plat, resulting out of duplicate and triplicate of the same, transcription of the original field notes for this office, and making out descriptive lists of the quality of the soil and corner boundaries for the local land office, and also ascertaining as nearly as possible, the probable amount of the expenses to be borne by the applicants for the survey, and in their filing in your office duplicate certificate of deposite of a proper U.S. depository, to the credit of the Specific appropriation, for the amount thus ascertained, upon which then cause the survey to be executed, at not exceeding the amount less the office expenses, and which is to be provided in the contract with the Deputy Surveyor.

The next step to be taken by you will be to open in a book the accounts of such Surveys, debiting the United States with the amounts of certificates of deposit filed in your office by settlers of townships designated to be surveyed, and crediting with the sums said Deputy Surveyors, for the work executed by them under contracts, the office expenses incident to the survey, and with such sums as shall have been found due to the parties, over and above the expenses of said surveys in and for which certified accounts will be made out and transmitted here for payment to the parties entitled to the re imbursement, if any

The Commissioners approval of the contracts is of course, a legal pre requisite in the foregoing as in all other cases.

Very respectfully Your Obt Svt
J. M. Edmunds
Commissioner

General Land Office June 9th 1862

John A. Clark Esq.
Surveyor. General
Santa Fe New Mexico

Sir

I have to advise you of the passage of an act of Congress approved June 2. 1862 entitled "an act for the Survey of grants or claims of land" the survey of which is to be made under the direction of the proper offices of the Government upon the application of the parties claiming, or owning the same and at their expense

You will take notice that under the requirements of this law the cost of the survey is to be paid to the Government before the work can be performed in the manner prescribed in our instructions to you of the 7th inst. for the Survey of the public lands at the expense of the settlers under the provisions of the act of Congress approved May 30. 1862, with such modifications in the estimate of the cost of the office work as the returns of the official returns of the Surveys will require — The appropriation of $ 50,000 refused

to in my instructions dated the 24th ultimo, is, in the terms of the appropriation act of March 1st 1862, for the Survey of public lands and private land claims

The act of June 2d 1862 entitled the surveys of private claims at the expense of the claimants relieves the appropriation first above mentioned from any charge on the score of private claims, and authorizes the application of the whole sum to the survey of public lands, and which you are hereby directed to do accordingly

You are required to acknowledge the receipt hereof at your early convenience

I am very respectfully your obt servt.
J. W Edmunds Commissioner.

General Land office
June 26. 1862

John A. Clark Esqr.
Surveyor Genl of New Mexico
Leavenworth Kansas
Sir

Your communication of the 19th inst. asking for an extension of your leave of absence for sixty days from the 9th inst has been received. In reply I have to say that in consequence of the peculiar circumstances which prevent your reaching your post, and in accordance with the decision of the Secretary of the Interior communicated to you in our letter of the 9th April last, an extension of your leave for the above named period is hereby granted

Very respectfully your obt servt
J. W. Edmunds
Commissioner

Circular

General Land Office
June 27: 1862

To the United States
Surveyor General
Santa Fe N. M.
Sir

By the 7th section of the act of Congress approved May 20th 1862, "to secure the settlement of the public lands of the United States" it is declared as follows:-

That in regard to settlements which by existing laws are authorized in certain States and Territories upon unsurveyed lands which privilege is thereby extended to California, the preemption

claimant shall be and he is hereby in all cases required from and after the first day of September, eighteen hundred and sixty two, to file his declaratory statement within three months from the date of the receipt at the District Land Office of the approved plat of the Township embracing such pre-emption settlement: Provided, the provisions of this section shall in no be held to authorize pre-emption and settlement of mineral lands which are" thereby "exempted from the provisions of this act"

(1st) Existing instructions require that the original" "duplicate" and "triplicate" of the Township, shall each be an exact copy of the other, and of course bear the same date of approval, the one for Surveyor Genl's office, the duplicate for the District Land Office and the triplicate for this office

(2d) Now it is desirable that the duplicate for the district office and the triplicate for this office should be dispatched the same day to their respective destinations, but, as this cannot always be done without delaying the Deputies' accounts, you are directed to keep a record of the date when you may dispatch such plats to the District offices, and to send up to this office a monthly transcript from such record, showing the date of the approved township plats may be transmitted by you from time to time to the District Land Office

Now will please acknowledge the receipt of this

Very respectfully your obt svt
J. W. Edmunds
Commissioner

General Land Office.
July 31st 1862

John A. Clark Esq.
Surveyor General
Santa Fe New Mexico

Sir

Referring to my letter of the 30th January and 24th May last upon the subject of the office rent for the Surveyor Genl of New Mexico; I have to request that the sum of $600 is authorized to be applied for the rent of your office during the present fiscal year, may be saved, or such portion thereof by occupying a room or two in the old government house (Palacio)

Upon the receipt hereof you will make application to the authorities of the Territory of New Mexico having control of the building, and endeavor to secure the necessary rooms not absolutely required for the Territorial use, and if they are assigned to you to remove thither from your present location at as early time as possible. At any event you are directed to examine the

premises of the Palacio and transmit a plat thereof showing its dimensions, number of rooms it contains, and its relative position with respect to Plaza and adjacent streets and other public buildings if any —

As the financial condition of the Government requires economical administration in every branch thereof, it is enjoined on you the absolute necessity to so retrench the expenditure on account of clerk hire and incidental expenses of your office, as that the least number of employés shall be engaged for the transaction of the public business — In view of the disturbed relations of the Country and very restricted operations of the Surveying service, I am of the opinion that a translator, if there is any business to occupy his time in the office, possessing the necessary qualifications for draughting occasional maps & plats, might be adequate and to economy in attending to the requirements of the public service during the current year. — This suggestion is made for your consideration & with the hope that it may be adopted if it can be done with justice to the public service

I am very respectfully your obt. servt
J. M. Edmunds
Commissioner

P.S. It is understood that two rooms in the Western ends of the Palacio may be occupied by Register and Receiver of the public lands — In that case as the business of those officers will be very slight, and that of the Surveyor Genl greatly restricted, they may take one and the other and thus accommodate all parties — In case no satisfactory arrangement of the character suggested can be made, I desire you to consider and suggest such as will in your judgment best promote the object in view.

J. M. E.

General Land Office
September 2d. 1862.

John A Clark Esq.
Surveyor General
Santa Fe, New Mexico
Sir

I am in receipt of your letter of 7th ult. announcing your return on the 7th August 1862 to Santa Fe and stating the grounds for curtailing the account of David J. Miller Translator & and John M. Clark Draughtsman for the period of time when there was a cessation of Surveying duties

caused by the hostilities consequent upon the invasion of the country by the enemy — Acting upon the Surveyor Generals official certification of the said accounts based upon his judgment of the condition of services to the public in the preservation of the archives equivalent to the salaries claimed, I have caused the said accounts to be reported for payment — The disquietude of the country, the overwhelming pressure upon its finances, the expense of the New Mexico land administration without any reimbursement to the Treasury all suggest that the organization of the surveying district be kept up through the agency of the Surveyor General himself, aided by any office force for the time being, and in this way in fact avoid consolidation of the District — Unless therefore you are in possession of satisfactory reasons to the contrary, with the condition of the country present to your mind, and in that case you will report particulars — I must ask your prompt cooperation to the end suggested, and further that to avoid the hitherto expensive annual rental for Surveyor Generals Office, that the archives be removed to the "Palace" or such other suitable place in buildings occupied by the Government for Office purposes

I am very respectfully
your obt. Svt
J. M. Edmunds
Commissioner

—44—

Genl Land Office
Sept. 12th 1862

John A. Clark Esq
Surveyor Genl
Santa Fe N. Mex.

Sir

I received this morning your letter of the 23d ult. stating that "the Navajo & Apache Indians continue their depredations throughout this Territory". that "entering the Town there is absolutely no safety for persons or property". that "under this condition of things, unless it should become necessary in order to connect the surveys of private land claims with the public surveys, in cases where the claimants comply with the law lately enacted by Congress, requiring a deposit of the estimated cost of such survey" you "will not enter into any contract for the survey of the public lands in this District during the present season"

This office approves the course you propose having as you will find from any letter to you of the 2d inst. anticipated the propriety of the measure — looking to your economical cooperation in keeping up the organization of the old Mexico

surveying district through the instrumentality of the Surveyor General, unaided by any office force, for the time being and until further orders

Very respectfully your obt svt
J. M. Edmunds
Commissioner

General Land Office
September 10. 1862

John A Clark Esq.
Surveyor General
Santa Fe New Mexico
Sir

I am in receipt of your letter of the 8th ult. upon the subject of Thomas Means' surveying contract of July 4. 1861 which is said to have been executed by the 1st January last, stating that there yet remains the work to be done nearly one half of the contract, which chiefly stipulates the survey of Pueblos and confirmed private claims —

In view of the passage of an act of Congress approved May 30 1862 and June 2d 1862 directing the surveys of public lands and private claims respectively at the expense of parties interested you submit for my consideration and decision the question of extending the time of making and returning the surveys under Mr. Means contract aforesaid

In answer I have to say that, no extension of time can be granted to Mr. Means for the survey of Pueblos and private land claims after the passage of the act of June 2d. 1862, as aforesaid and therefore his contract for the remaining portion of the work therein stipulated not having been completed by expired by limitation, you are directed to consider it to that extent forfeited, and you will notify Mr. Means of the decision so far as the unfinished work in his contract is concerned

I am very respectfully your obt. svt
J. M. Edmunds
Commissioner

General Land Office
October 6th 1862

John A. Clark Esqr.
Surveyor General
Santa Fe N. M.
Sir

Your letter of the 8th August last has been received acknowledging the reception of our instructions of the 10th May respecting the survey of the "Town of Mora" Grant, which instructions ordered you to take further proofs of the boundary named in the grant called the "Agauge de la Yegua"

You now enclose copies of the proofs taken by you, to which reference is made in your letter of April 5th last, and which appear to you to be conclusive as to the location of the call of the grant in question. As some little time must necessarily elapse before it will be possible for you to carry out our instructions in this matter, you submit these proofs for consideration, stating the witnesses were called by you without notice, and, with one or two exceptions testified before being informed of your object in taking their depositions, and that they are reputed to be men of integrity and qualified to testify

You report further that in making the personal examination required by our instructions it will be necessary owing to the disturbed state of the country and the presence of hostile Indians in the neighborhood of the "Agauge de la Yegua" for you to have a strong military escort; and as you cannot enter upon the examination before you can receive by due course of mail, our instructions after considering the enclosed proofs, you will await further instructions before moving in the matter

(1st) It is understood from your report that Deputy Surveyor Means made the existing survey in strict accordance with the instructions of your predecessor, Surveyor General Wilbar, and identical with the limits designated in those instructions — You will therefore have this account for the Mora Survey properly made out and verified by him and will please append your Official certificate thereto and if such be the fact that the said survey has been executed in exact accordance with the specific instructions of your predecessor and without any deviation therefrom, the account thus authenticated, when received, will receive proper attention at this office

(2d) This Office not being satisfied however of the correctness of the limits fixed by said Survey cannot recognize those

limits, nor determine the true boundaries until a thorough examination in the localities shall have been made in the manner heretofore directed.; and as this cannot be done for the present owing to hostilities in the country, the matter must necessarily lie over until pacification arrives, when it should receive your further attention, and be followed by a full report. The transcript of unapproved field notes received with your letter of March 1st 1862 is herewith returned

Very respectfully Your Obt. Servt
J. W. Edmunds
Commissioner.

General Land Office
December 12. 1862

John A. Clark Esq.
Surveyor General
Santa Fé New Mexico
Sir

This Office is in receipt of your letter of the 8th inst. with enclosed account of Thomas Means Deputy Surveyor for surveying the Mine claim, amounting to $1898 46/100 — You state that there is a discrepancy between Mr. Means' and the adjoining Surveys — Mr. Means intersecting the 4th correction line in running North from the "initial point" 16.46 chains South and 63.33 chains East of what should be the true point of intersection according to the survey of Deputies Pelham and Clement. With this exception you say, his survey seems to be correct and you certify to his account with this qualification — You also add — Mr. Means insists that the error is in Pelham & Clements survey, and is anxious to return to the field and make the examination to prove it, but on account of the difficulties with the Indians, he cannot now do so; and, that he is poor, and much in need of money

Mr. Means made this survey in good faith, under contract with an authorized agent of the Government, and the Government is bound to pay him. I have this day reported to the first Comptroller of the Treasury, for payment $1.500 of Mr. Means account, withholding $398 46/100 until the discrepancies you mention shall have been corrected, the work completed, and the plats and transcripts of field notes returned to this office

In allowing Mr. Mens account, this office reserves for future decision, the question whether it will recognize the

boundaries established by Mr Means, as the true limits of the Nuevo claim or not, the part payment of the account being simply in discharge of a legal obligation on the part of the Department, and having no bearing whatever, in deciding the true limits of the Nuevo claim

You are reminded that in running the West boundary of this claim Mr Means is only entitled to pay, for a direct line, his offsets not being chargeable in his account — As we have neither the field notes nor plats, we are not able to ascertain whether he may not have charged for such offsets, — hence your attention is called to the subject

Very respectfully your obt Servt
J M Edmunds, Commissioner

General Land office December 23. 1862

John A. Clark Esq.
Surveyor General
Santa Fé New Mexico

Sir

In your letter dated the 1st of October last, you request to be authorized to employ an interpreter from time to time, and on occasional service of a description whenever the exigencies of the public service may require — Your request appears to be a reasonable one, and is therefore granted having the fullest confidence that you will avail yourself of such temporary service only when the public interest demand them

Very respectfully your Obt Servt
J M Edmunds
Commissioner

General Land Office
December 27. 1862

Sir

Whenever you may find an article in any newspaper, containing information in regard to Mineral interests, you will oblige this office by furnishing us with a spare copy.

If any periodical or other work containing valuable information in the subject should come under your observation, you will please report the title, with the name of author, date of publication, price and at what place for sale

In an investigation of data in detail touching the proprietary or mineral interests of the United States, both in regard to the precious and useful minerals, embracing information

of precise localities, Rail, Turnpike, or wagon road communication, illustrated by maps, & Sketches when it is convenient to furnish them

Your earnest co operation in this matter, considered as one aid by any appropriation to promote the public interest in this respect would be appreciated by

Respectfully your Obt. servt
J. M Edmunds
Commissioner

General Land Office
January 9th 1863.

John A Clark Esq.
Surveyor General
Santa Fe N. Mx.
Sir

I am in receipt of your letter of the 15th inst. inquiring whether the heirs of Luis Maria Cabeza de Baca have the right to designate lands beyond the present limits of New Mexico, but within the limits of New Mexico as they existed at the date of the passage of the act authorizing the locations

In answer I have to state that this question was decided by this office in the affirmation on the 7th day of June 1862 and the Surveyor General of Colorado was so advised in our letter of instructions to him of that date

With regard to your inquiry as to whose province it is to receive the applications and make the survey of such designated lands I answer that, falling as they do within the present limits of the Territory of Colorado, it will properly belong to the Surveyor General of that Surveying district to make the survey thereof.

Very respectfully your Obt. Servt
J. M. Edmunds
Commissioner

General Land Office January 16th 1863

John A. Clark Esq
Surveyor General
New Mexico
Sir

In your communication dated the 20th December last you ask for instructions with regard to disposing of certain Hawk boys and articles of furniture

not needed in your office and enquire what disposition you shall make of them or any — If the blank books you allude to cannot be used for any purpose in your office they may be sold of, but it would seem that as it is very expensive getting them out there they ought to bring something more than their original cost in Philadelphia, The articles of furniture "which will not again be required" in your office may also be sold, but if they will command for any considerable sum they should be sold by auction — You will forward an account in detail of the articles disposed of to this office —

The net proceeds of sales you will deposite with the Receiver at Santa Fé, who is a depository, to the credit of the appropriation "For rent of the Surveyor Generals office in New Mexico fuel books stationery and other incidental Expenses" and transmit his certificate of deposite for the same to this office

Very respectfully Your Obt. Servt.
J. M Edmunds Commissioner

General Land Office January 21. 1863

Sir

I have received your letter of the 20th ultimo, in which you propose contracting for certain Surveys, and in order to enable you to judge of the necessity of them you apply for permission to visit the region of country — you also, ask permission to make the following explorations — "To visit and explore the head waters of the San Juan river — the country on and near the Mimbres and head waters of the Gila, and also permission to visit and examine the lands along and near the right bank of the Rio Grande from Fort Craig to El Paso."

Your object is to ascertain "what proportion of land there may be, suitable for settlement and cultivation, in those districts, and to ascertain the intents of the Government respecting the public surveys should be extended over them"

Desirous of having the views of the Delegate from New Mexico, Judge Watts, on the subject, I enclosed to him a copy of your communication and have in hand his reply of the 18th inst., copy herewith, in which the proposition is favorably regarded — Judge Watts thinks the distance to be travelled would be about 1200 miles both going and coming and would occupy about three months. He at the same time suggests that you should be directed also to ascertain the locality, richness and extent, of the various silver mines, gold mines, lead and copper mines in the localities you may visit and forward to the Department

specimens of the ore from the various mines, with a brief account of the locality, condition & ownership of the same, and place the information before the office in such a manner as to form an authentic history of the mineral of such portions of New Mexico as may be visited by you — Judge Watts expresses the opinion that the expenses would not exceed two hundred dollars provided no accident should occur to the journey and the outfit purchased, may sold again immediately on the return of the trip"

Regarding the proposition for the exploration a proper expenses incident to drivings, and that, if conducted, as suggested, the results will be advantageous to the public interest, I approve your proposition, connecting with it the suggestion of Judge Watts imputing the duty of collecting data, relating to the mines which is hereby devolved upon you — I do this the more readily because the estimated expense is inconsiderable, believing that a prudent purchase of the outfit and prompt sale after return, the cost will be about the amount suggested by Judge Watts.

You remark that as it is necessary that some one should remain in charge of the Surveyor Generals office during your absence, permission is desired to employ for the time a clerk for that purpose This is granted, first for the protection of the archives and next that individuals may suffer no inconvenience from the closing of the Surveyor Generals office

You will please acknowledge the receipt of this and report from time to time the result of your exploration

Very respectfully your Obt. Svt
J. M. Edmunds
Commissioner

John A. Clark Esq
Surveyor General
Santa Fé New Mexico

(copy)

Hon. J. M. Edmunds
Commissioner
&c

House of Representatives
Washington City Jany. 18. 1863

Sir

Your favor of January 13th 1863 enclosing copy of the letter of Gen. Clark dated Dec 20. 1862 upon the subject of a loss of imputation to different parts of New Mexico is now before me. It is my opinion that a visit and personal examination of the localities proposed will be of great advantage in the prosecution of the future surveys of land in New Mexico — The distances to be travelled would

be in all about twelve hundred miles, six hundred to go & six to return and time required to make the explorations would about three months, in order to do the thing well — If Gen Clark is permitted to go on such an exploration I should earnestly recommend that he be directed also to ascertain the locality, richness & extent of the various silver & gold mines, lead & copper mines in the localities visited by him and obtain and forward to your Department specimens of the ores from the various mines, with a brief account of the locality, condition and ownership of the same, and place the information before you in such authentic history of mines & mining districts of New Mexico as may be visited by him — I do not think the expense would exceed two hundred dollars provided no accident should occur on the journey and the outfit purchased may sold again immediately on the return of the trip —

I am satisfied that Gen Clark would not expend a dollar more than may absolutely required for the actual support of himself & animals — Hoping that the wishes of Gen Clark may be gratified and believing that the information which he would gather up could not be got in any other way I remain

Very &c
John S. Watts
New Mexico —

General Land Office
February 5th 1863

John A. Clark Esqr.
Surveyor General
Santa Fe New Mexico

Sir

The Hon. John S. Watts an acting attorney for the heirs of Don Luis Maria Cabeza de Baca, has filed in this office an application dated the 18th of January last for the withdrawal of his application dated the 30th day of October 1862, and filed in your office for the location of the five tracts granted to said heirs by the act of June 21st 1860

As the application has not been reduced into a specific location, no locality having been designated according to any recognized line of the public surveys, nor reported by the Surveyor General as definitely acted upon, this office accedes to the request of Mr. Watts to withdraw the application, the more readily as Indian hostilities and other causes in the country, would delay the establishing within any reasonable period, of the land location, and unavoidably hold the matter in the mean time in suspense

You are requested to acknowledge the receipt of this communication

Very respectfully your obt. svt

J. M. Edmunds

Commissioner

Surveyor Genrals Office
Denver Co. Ty. Nov. 24. 1863

Hon John A Clark
Surv. Genl. New Mexico
Santa Fe N. Mx

Sir

I have the honor to acknowledge the receipt of your letter of the 9th inst. transmitting therewith the application of the atty of the Heirs of Luis Maria Baca to locate one fifth of their claim confirmed by act of congress of June 21. 1860

Very truly your obt servt

Francis M. Lease

Surv. Genl.

General Land office
February 25th 1863

John A. Clark Esqr
Surveyor General
Santa Fe N. Mx.

Sir

The claim of Deputy Surveyor Meany for surveying the Ramirez grant the subdivisional and part of the exterior lines of Township 11 N. Range 11 E. and for subdividing Township 16 N. Range 8 E. and fractional Townships 15 & 16 N. Range 7 E. has been taken up and examined at the written request of Hon. John S. Watts, and you are hereby informed of our decision in the premises

1st The survey of the Serafin Ramirez claim was not in accordance with the instructions or memorandum furnished by the Surveyor General, nor in conformity with the boundaries described in the act of confirmation, and Mr. Meany cannot be paid for the work

2d The surveys of the public lands included above mentioned without instructions or authority from the Surveyor General, and therefore Mr. Meany can make no legal claims upon the Department for payment therefor

In view however of the difficulties entitled Mr. Meany has had to encounter in the execution of surveys in that distant region, this office is disposed to afford him such relief as can be done

consistently with official duty and the public interest — To this end you are instructed to examine the field notes of the four townships above mentioned, returned to your office by Mr. Murray, and if you shall find that such townships, or either of them, are good agricultural or grazing lands such as would warrant you in contracting to have them surveyed, and that the survey thereof has been made and faithfully performed in accordance with the laws of the United States and the Surveying Manual, you are hereby authorized to execute a contract and bond, with sufficient sureties, of current date, with Mr. Murray, to cover the cost of said surveys as you may find to be conformable with the above conditions, and upon the proper execution of said contract and bond you will approve and transmit the plats and field notes of such surveys to this office in the usual form, with Mr. Murray's account for the same

Very respectfully your obt. svt.
J. M. Edmunds
Commissioner

General Land Office,
June 9, 1863.

Silas A. Clark, Esq.,
Surveyor-General,
Santa Fe, New Mexico.

Sir:— I have to advise you that by the act of Congress approved February 25, 1863, entitled "An act making appropriations for the legislative, executive and judicial expenses of the Government, &c.," there is appropriated for the surveying service in New Mexico for the fiscal year ending June 30, 1864, the following sums:—

1.—"For compensation of the Surveyor General of New Mexico and the clerks in his office, three thousand dollars" — — — — — — — — — — — — — $3000.

2.—For compensation of Translator in the Office of the Surveyor General of New Mexico, two thousand dollars — — — — — — — — — — — — — $2000

3.—For rent of the Surveyor General's Office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand dollars — — — — — — — $2000

The appropriation under the first head is intended for the compensation of the Surveyor General exclusively, which is $3000. No estimate for the compensation of the clerks in the Surveyor General's Office has been submitted to Congress, owing to the fact that the appropriation of $4000 per act of March 21, 1862, which, in consequence of the diminution of the public service during the year ending June 30, 1863, will not have been expended by about $1,000; which is sufficient to cover all legitimate liabilities that may be incurred by you during the next fiscal year for the dispatch of the Office work, which should keep pace with that in the field, limited hereby to the sum of $6000, which sum it is cal-

culated will remain unexpended of all former appropriations over and above legal liabilities to be liquidated under existing contracts.

The appropriation under the second head in addition to unexpended balance of the last years appropriation is more than adequate for the payment of the Translator in your Office, and in submitting your next estimate for the same service for the fiscal year ending June 30, 1865, you will take into account the probable balance that will be left of the former appropriations, and reduce the estimate to that extent.

The appropriation under the third head, in connection with the unexpended balance of former appropriations, will, it is expected, be more than sufficient for the liquidation of the incidental expenses of your office during the ensuing fiscal year, and whatever balance will remain unexpended on the 30th June, 1864, you will take into account in submitting your estimates for the year ending 30th June, 1865, for that branch of the public service

The item of $2500 "for fuel, Office rent, Stationery and contingent expenses," estimated by you in your last annual report was reduced by Congress to $2000, and an appropriation was made of that amount. You will understand, however, that no part of this appropriation can be applied to pay the cost of summoning witnesses or prosecuting investigations contemplated by the act of 22d July, 1854. The policy indicated in our instructions to your predecessor dated October 4, 1855, is adhered to, requiring claimants under Spanish and Mexican grants by virtue of the 8th article of the treaty of Guadalupe Hidalgo of February 2, 1848, to produce their own witnesses, and at their own expense.

By a subsequent act of Congress approved June 2, 1862, it is also further provided that the survey of such claims shall be made at the cost of the parties claiming or owning the same; therefore, any expense incurred in taking the preliminary steps requisite to have such grants surveyed is, in the opinion of this Office, a proper charge against the parties claiming such grants.

By the first section of the act of Congress entitled an "act to provide a temporary government for the Territory of Arizona," &c., approved February 24, 1863, all that part of what was the Territory of New Mexico which lies west of the 32° meridian of longitude west from Washington is erected into a new Territory, styled the Territory of Arizona. The organic act providing a temporary government for this Territory makes provision for the appointment of a Separate Surveyor General; and in pursuance of that provision the President has appointed Levi Bashford, Esq. Surveyor General for the Territory of Arizona. Your surveying district is therefore reduced in extent to the 23d [32°?] meridian aforesaid as its western boundary. . . It appears from the most authentic maps in possession of this Office that the 23d [32°?] meridian passes a little west of Fort Defiance, north of the headwaters of the river San Domingo, the affluents of Rio Gila on the south and, some 20 miles west of the pueblo of Zuñi.

You will exercise your own discretion in determining where the $6000 provided for surveying operations in your district shall be expended.

Your personal knowledge after you shall have completed the reconnoissance authorized by this office on the 21st of January last, and in which you are now engaged, will enable you to decide what localities have the greatest need for immediate surveys.

No appropriation having been made for the establishment of the northern boundary of New Mexico, nothing can be done with regard to definitely locating the line between New Mexico and Colorado Territory.

In reference to the approval of surveying contracts by this Office under the authority of the first section of the act of Congress approved May 20, 1862, entitled "an act to reduce the expenses of the survey and sale of the public lands in the United States," I have to say that my instructions to you of the 18th June last upon the subject are, for analogous reasons, hereby extended and made to apply to the contracts during the fiscal year ending June 30, 1864.

You are required to prepare in triplicate and make a part of your next annual report the list of townships surveyed prior to June 30, 1862, but not embraced in your report of September 29, 1862, as well as the list of townships surveyed since June 30, 1862 and up to June 30, 1863.

It has been determined in future to keep the books of returns in this Office so as to exhibit the field work actually done in each fiscal year separately. You will therefore make your returns accordingly, and when work commenced in one year is, for good and sufficient reasons, not finished in that year but is continued into the next, the amount in lineal miles and the area in acres actually surveyed in each will be particularly stated in the deputies' accounts transmitted for settlement. To enable you to do this your deputies will be required strictly to observe the directions for keeping the fieldnotes contained in the printed manual of instructions, so that the date of each day's work will appear at the close of the operations for that day.

The 86th section of "an act to provide internal revenue", &c, approved July 1, 1862, requires a tax of three per cent. on all sums exceeding $600 per annum paid on salaries of officers or to persons in the civil or military employment or service of the United States, to be withheld upon settling such accounts. The Secretary of the Treasury, under joint resolution No 65, approved July 17, 1862, has determined the commencement of the revenue year to be from and after the 1st day of September, 1862. You are therefore directed in reporting salary accounts and payments to deputy surveyors after August next whenever part of the work or labor has been performed in two tax years to state separately the amounts due for work or labor performed in each.

I send you by to-days mail for the use of your Office 50 blank contracts and bonds, 30 blank township plats, and 40 diagrams of New Mexico embracing also the Territory of Arizona.

Very respectfully, your obt. servant,

Jno. S. Wilson,

Acting Commissioner

114

Circular.

Department of the Interior,
Washington, July 9, 1863.

Sir:—

The new postal law which went into effect on the 1st of July instant requires that all correspondence addressed to any executive department, or any officer in it, must now be prepaid, except official communications written by some officer of the Department, or an officer under its control or responsible to it; and, in such cases, under the words "Official Business," on the envelope, the officer must sign his name, with his official designation. "All other persons, and all officers writing to Departments with which they are not connected, must prepay their postage."

To avoid delays and embarrassment in carrying on the correspondence of this Department, your attention is especially called to the foregoing provisions of the postal law, and you are instructed in all cases to conform strictly to its requirements.

Respectfully, &c.
John P. Usher,
Secretary.

General Land Office, July 16, 1863.

Surveyor General.

Sir:— Please acknowledge receipt of above Circular.

J. M. Edmonds,
Commissioner.

General Land Office,
July 18, 1863.

John A. Clark, Esq.
Surveyor General,
Santa Fé, New Mexico,

Sir:—

I have to acknowledge the receipt of your letter of the 18th ultimo covering copy of the application of John S. Watts, Esq., in behalf of the heirs of Luis Maria Cabeza de Baca, dated June 17, 1863, filed in your Office on the same day, together with your certificate to the effect that the application to locate one-fifth of the private claim confirmed to said heirs being within the limits of New Mexico as they existed at the date of the confirmation, viz: June 21, 1860, but actually situated within the present Territory of Arizona, is the third location of the series, and, with those numbered 1, 2 & 4, heretofore made, constitute four-fifths of the said private claim.

Your approval of the location under consideration is found to have ignored the imperative condition that the land selected at the base of Salero Mountain, now included, by act of Congress, approved February 24, 1863, in the Territory of Arizona, is mineral land and not mineral. Before the application

of location No 3 of the heirs aforesaid can be approved by this Office, it is necessary that our instructions of the 26th July, 1865, should be complied with by furnishing a statement from yourself and Register and Receiver that the land thus selected and embracing one-fifth of the claim, or 99,289$\frac{39}{100}$ acres is vacant and not mineral.

I am, very respectfully, your obedient servant,

S. M Edmunds,
Commissioner.

General Land Office,
August 21, 1863.

John A. Clark, Esq.
Surveyor General,
Santa Fé, New Mexico.

Sir.—

By a recent decision of the Commissioner of Internal Revenue, payments to Deputy Surveyors are not subject to a deduction of the three per cent. revenue tax under the 86th section of the revenue law approved July 1, 1862. All such deductions heretofore made will therefore be repaid—and that part of your annual instructions requiring the work of deputies to be reported in the separate tax years in which it was performed, is hereby revoked. Our instructions with regard to the separation for the fiscal years will of course continue in force.

Very respectfully your obedient servant,

S. M. Edmunds,
Commissioner.

Genral Land Office
November 17th 1863

John A Clark Esq.
Surveyor General
Santa Fé New Mexico

Sir

The inclosed schedule of Stamp duties received from the Internal Revenue office is furnished you for your guidance hereafter in placing the requisite stamps upon all such documents as are mentioned in the schedule. You will be particulars to observe strictly the requirements of the Schedule in your official transactions

The Acting Commissioner of the Internal Revenue has decided the 4th Section of the act of December 25th 1862, in regard to the exemptions of certain official documents from duty to apply only to such official instruments documents and papers issued or used by officers of the United States Government the duties on which if paid would

be a charge upon the Treasury of the United States

You are requested to acknowledge the receipt hereof

I am very respectfully your obt. Servt

J. M. Edmunds, Commissioner

General Land Office
December 18th 1863

Jno A. Clark Esq.
Surveyor General, New Mexico

Sir

By the direction of the Secretary of the Interior, leave of absence is granted you for a period of four months from the date of the receipt of this letter: this upon the application of Hon E. B. Washburne

Very respectfully your obt. Servt.
J. M. Edmunds
Commissioner

General Land Office,
February 8, 1864.

John A. Clark, Esq.,
Surveyor General of New Mexico,
Freeport, Illinois

Sir:- Your letter of the 12th ultimo is received, informing this Office of your intended departure, on the 18th January, for Freeport, Illinois. You also set forth the necessity for reinstating the Translator in your Office. Upon the representations made by you, authority is hereby given you to employ said Translator whenever, in your judgment, the public interests require it, at a salary not exceeding two thousand dollars per annum as full compensation for his services.

Very respectfully, your obt. servant,
J. M. Edmunds,
Commissioner.

General Land office January 30. 1864

John A. Clark Esq
Surveyor General
Santa Fe New Mexico

Sir

I herewith transmit a copy of a letter of the Commissioner of Indian affairs of the 14th inst addressed to the Secretary of the Interior upon the subject of a Reservation of 40 miles square for the Apache Indians in the Territory of New Mexico, situated on the River Pecos at Borgne Redondo, having for its centre Fort Sumpter. (Sumner) This letter having been submitted to the President by the Secretary with the recommendation that the Reservation be set apart for the purpose therein indicated, the President approved the same on the 15th inst and it becomes my duty to direct you to carefully lay down said reservation on the map of Surveys in your district of record in your office, with reference to these instructions, by their date so that it may be reported in the extension of the lines of the public and private surveys and be withdrawn from preemption settlement and other disposition by the Government

The Register and Receiver of the Land office at Santa Fe, have this day been furnished with a copy of this document with the President's order for the Reservation endorsed thereon, and a copy of these instructions, so that those offices may carry the order of the President into effect

You are requested to acknowledge the receipt of this communication at your earliest convenience

Very respectfully your Obt Svt
J M Edmunds
Commissioner.

Department of the Interior
Office of Indian affairs
January 14. 1864.

Sir

My attention has been called by Superintendent Steck of New Mexico to the necessity of designating a tract of land in New Mexico forty miles square with Borgne Redondo as the centre for a reservation for the Apache Indians

In a former letter to this office, a copy of which was Transmitted to you, with report thereon, under date of December 16th 1863, Superintendent Steck speaks of the proposed reservation as well adapted to Indian purposes, for a limited number Mr. Steck estimates the number of the Apaches to be about

three thousand, and the quantity of arable land within the boundaries of the proposed reservation at not exceeding six thousand acres. Surveyor General Clark of New Mexico, in a letter to Mr. Steck, a copy of which was transmitted to you with the report before mentioned makes the same estimate as to the quantity of arable land within forty miles square with Bosque Redondo as a centre

Owing to the fact that the arable land lies along the water courses, it seems to be necessary that the area of the reservation should be as large as that proposed by Mr. Steck, in order to suitably accommodate the estimated number of the Apaches, and isolate them as far as possible from the whites

For the reasons given by Mr Steck in his letter before referred to, as well as for those given in his annual report for 1863, to both of which reference is had, Should you concur in the propriety of reserving the land placed mentioned for the use of the Apaches, I would respectfully recommend that the subject be laid before the President with a recommendation that the same may be withheld from preemption and settlement and under his proclamation be set apart for Indian purposes

Very respectfully your obt. Servt.
W. P. Dole Commissioner

Hon. J. P. Usher
Secretary of the Interior

Office of Indian affairs
January 14. 1864

Commissioner recommends that a reservation 40 miles square at Bosque Redondo New Mexico be set apart for the Apache Indians

Department of the Interior
January 15th 1864

Respectfully laid before the President with the recommendation that the Reservation be set apart for the purpose therein indicated

J. P. Usher, Secretary

Approved January 15. 1864
A. Lincoln

General Land Office
May 7th 1864

John A. Clark Esq
Surveyor General
Santa Fe N. Mex
Sir

You are hereby directed to prepare and submit to this office your estimate for the surveying service for the fiscal year ending June 30th 1866, in time to reach him by the 15th day of July next

Your annual report of the surveying operations in your district will be prepared in the usual form, in duplicate only, and forwarded in time to reach this office by the 1st day of October next

Very respectfully Your Obt Svt
J. M Edmunds
Commissioner

(Telegram)

Washington July 16th 1864

John A. Clark
Santa Fé
Sir

The Territory of Arizona has been added to your Surveying District. Congress has appropriated for continuing the Public Surveys during the fiscal year ending June thirtieth 30, eighteen sixty five, for New Mexico ten thousand dollars, for Arizona ten thousand dollars

J. M. Edmunds
Comr

General Land Office
August 1st 1864

John A. Clark Esq.
Surveyor General
Santa Fe New Mexico
Sir

The act of Congress containing the "appropriations for public surveys during the present fiscal year was published on the 11th inst. and you were advised of the amounts appropriated for your District by telegraph

on the same day - Our annual Instructions are now forwarded

1st Limits of Surveying District

By the 8th Section of an act entitled "An act making appropriations for sundry civil Expenses" and for other purposes" approved July 2d 1864, it is enacted "That until otherwise provided by law the Territory of New Mexico and the Territory of Arizona shall constitute one Surveyor General's district" By this law dispenses with one office of Surveyor General the Secretary of the Interior has addressed on the 16th ult. inquiring whom this office should recognize as Surveyor General of the newly created Surveying district of New Mexico and Arizona. The Secretary's decision has been rendered to the effect that the term of office of the Surveyor General of Arizona terminated on the 4th inst. the date of the adjournment of Congress, and that the Surveyor General of New Mexico is Surveyor General of New Mexico and Arizona. Accordingly the late Surveyor General of Arizona was directed to transfer books papers and documents of importance belonging to his office at Tucson Arizona, to you at Santa Fe, New Mexico, by the safest and most economical conveyance

2nd Surveys - $30000

By the 2d Section of the act of Congress hereinbefore cited there was appropriated for surveying the public lands in your district as follows: For surveying the public lands in New Mexico Ten thousand dollars ($10,000) $10,000
For surveying the public lands in the Territory of Arizona Ten thousand dollars 3 10,000
making the above amount of $20,000

This amount together with $5,000 appropriated March 3d 1863 "For surveying the public lands in the Territory of Arizona, will be appliable for the field service in your district, as it is understood that no liabilities have been incurred by the late Surveyor General of Arizona, chargeable against the said appropriation, now having been authorized by this office

The only field service authorized on the 9th of April last, was the survey of the 3d location of the heirs of Luis Maria Baca at the expense of the parties interested, and after they shall have deposited sufficient funds to the credit of the U States, as contemplated in our instructions to you of the 9th of June 1862 upon the subject

In our instructions we pointed out the particular method of the survey, and if not undertaken as yet by the late

Surveyor General it will devolve on you to carry out these instructions accordingly

## Locality of Surveys

The locality of surveys in your district during the present fiscal year is left to your judgment, based upon a knowledge of the requirements in New Mexico and Arizona. You should be careful to inform yourself fully as to the localities, the surveys of which will best promote the public interest, and as soon as you determine the same you will report them to this Office, indicating the same on a sketch plat, and advise me of the data on which you may act such determination. You will also submit a programme of the establishment of the Base and Principal Meridian in Arizona from which public surveys will commence, at your earliest convenience, and await the approbation of this Office.

I am not yet advised what may be the final action of Congress in regard to the two proposed laws authorizing certain modifications in the system of rectangular surveying in New Mexico and other localities, but have understood that the are recommended by this Office was passed. As soon as the proper information is received, you will be advised of any changes that may be authorized. Until definite instructions are furnished you, previous recognized laws and instructions will govern your operations

## 3d Salaries — $4500.

By an act making appropriations for the legislative executive and judicial expenses of the Government approved June 25th 1864, there is appropriated for compensation of the Surveyor General of New Mexico and the Clerk in his office four thousand ($4,000) dollars — Three thousand dollars of this sum will be applied to pay the salary of the Surveyor General leaving a balance of $1,000 which with the unexpended balances of former appropriations amounting to $ 3842 54/100 will make the sum of $ 4842 54/100 applicable to pay for Clerk hire. It is not supposed the business of your office the present year will require the services of a clerk, but should your business make it necessary you are authorized to employ one at a salary not exceeding $1200. The act above referred to also appropriates "for compensation of translator in the Office of Surveyor General of New Mexico five hundred dollars, which with the balance of former appropriations will amount to $2,000 for this kind of service for the fiscal year ending June 30th 1865 — Before incurring any expenditures out of this appropriation you

will await further instructions

4th Incidentals

Owing to the existence of the unexpended balance of former appropriations for the Incidental expenses of the Surveyor General of New Mexico, no estimate was submitted and no appropriation made for that purpose. The balance of former appropriations is larger than will be required for the present fiscal year but it is expected you will observe a rigid economy in the expenses of your office as during the past year

In reference to the approval of Surveying contracts by this office, under the authority of the 1st section of the act of Congress, approved May 30th 1862 entitled "An act to reduce the expenses of the Survey and sale of the public lands in the United States" I have to say that any instructions to you of the 10th June 1862, upon the subject, are, from and upon receipt hereof extended and made to apply to the contracts during the fiscal year ending June 30th 1865.

A printed pamphlet of Instructions to Surveyors General dated June 1st 1864 has been prepared to accompany and form a part of these annual instructions. It modifies the requirements of the manual in some particulars, and you are expected to make yourself familiar with its contents. Sixty five copies of this pamphlet will be mailed to your address, with our annual Instructions today, for the use of yourself and Deputies, and you will be particular in your instructions to and contracts with Deputy Surveyors, to make the observance of the requirements contained in the printed instructions a part of their legal obligation to the Government

I am very respectfully
Your obedient Servt
Jos S. Wilson
Actg. Commissioner

Genral Land Office September 17th 1864

John A Clark Esq.
Surveyor Genral.
Santa Fé New Mexico.

Sir

I have to call your attention to the provisions of "An Act to amend an Act entitled And Act to confirm certain private Land claims in the Territory of New Mexico" approved June 11 1864, Statutes at Large 1863-4 page 125.

The forgoing act authorizes the relocation of the 3d location of the Heirs of Luis Maria Baca heretofore located on the Pecos River New Mexico, and to enable them to do so the time for the accomplishment of which was extended to the 21st day of June 1865, and the former location adjoining the Summer recreation of the Pecos River was declared null and void.

The application of the heirs as aforesaid for the relocation of location No 3 was approved by you on the 18th day of June 1863, and the request for its survey having been made, the necessary instructions were issued by this office to the Surveyor General of Arizona whose the lands located are situated on the 9th day of April last. In case no action has been taken by the Surveyor General of Arizona in carrying out those instructions, it will devolve on you to run the lines indicated in the same

I am very respectfully
Your obt Servt
J. M. Edmunds
Commissioner

See answer to above, Page 486 Letter book of letters sent.

Genral Land Office September 20. 1864

J. A Clark Esq.
Surveyor General
Santa Fe, New Mexico

Sir

I have received your letter of the 11th ultimo reporting the existing Indian hostilities in New Mexico, as making it doubtful whether surveying parties can this season be sent into the field, the reason for deterring them from the service being quite sufficient. In fact there is one propriety in sending Deputies to remote or exposed points or places, subject to such hostile incursions, growing out either of the absence of permanent white settlements or of any calls for the purchase, or location of public lands. The reason is such that, the witness

of survey in such cases, are liable to be destroyed by the savages, or otherwise to dilapidation, whilst the Government is making outlays, under instruct, of moneys prematurely, and without advantage to individuals or to the United States

You propose a personal examination during the present season "along the Gila and its branches — along the Colorado and its branches and of the region about Fort Stanton" with a view to determine "where to make surveys" and "fix upon the initial point in Arizona for Meridian and Base line" for that Ty.

As a previous exploration may attend to the Surveyor General in your district, it is in place to state that it is against the policy of the Department to allow such reconnoissances to grow into a general system, but, on the contrary, it is our rule to deal with such cases in specially and only where the public interests demand or imperatively require, and then we should be furnished with data, as to the maximum cost involved in the exploration — Now I am disposed to think that your service could be rendered by obtaining from the Surveyor General the result of personal exploration, first as to him immediately his province in determining the proper locality for the Offices of Surveyor General now embracing both New Mexico and Arizona, and next in fixing the Initial point as aforesaid & in collecting such data as to the arable and mineral matter of the country, and as to those localities most inviting to immigration

In this view, your proposed exploration is assented to with the understanding that this office will not allow an expenditure for rent, but only such actual travelling expenses, provided, they do not exceed in the aggregate $300.- and that you will be governed in making your exploration and report, by the purposes suggested and contemplated in the foregoing — You will of course make a special & detailed report of the results of your exploration

Very respectfully Your Obt. Svt.
J. M. Edmunds
Commissioner

Department of the Interior
General Land Office January 20th 1865

John A. Clark Esq.
Surveyor Genl
Santa Fe N.M.

Sir

The certificate of deposit for $100.00 to Dr. Martin, and paper presented by Chs Brannan transmitted in your letter of January 18th ult. No. 3/64 respectively have been this day endorsed to the U.S. Treasurer, to be placed to the credit of the proper appropriation

I am very respectfully your Obt. Svt.
J. M. Edmunds, Commissioner

Cerro Colorado March 16. 1865

Genl Clark
Surveyor Gen
Dear Sir

Allow me to improve the present opportunity to solicit the appointment of Deputy Surveyor of the Territory of Arizona, assuring you that I have had much experience as Surveyor both in Texas and California

For references I beg leave to refer to Col. M. O Davidson Arizona. Chas D Poston Hon Sylvester Mowry Solomon Warner Esq. Col John C. Hays George Hunt Esq San Francisco California, Hon Volney E. Howard Los Angeles Col. Charles E. Story Esq San Francisco Col. Permit me further to assure you that whatever contracts you may confide to my charge shall be executed strictly in accordance with the laws of the United States and the instructions of the Surveyor General

Your Obt Servt
Hiram S. Washburn
Surveyor.

P.S. Please address to Cerro Colorado, Arizona Territory care Col. M. O. Davidson U.S.V. -

Department of the Interior
General Land Office
March 30. 1865.

Surveyor General
Santa Fe New Mexico

Sir . The appropriation which had

been estimated for the field operations in your surveying district during the fiscal year ending June 30th 1866, failed to become a law at the last session of Congress. Consequently it will not be in your power to let any contracts, unless in cases in which you may have unexpended balances on hand of last year's appropriation, or in cases in which parties, to obtain surveys, have made or shall make deposits under the act of Congress approved May 30th 1862

You will please acknowledge the receipt of this, and report the exact amount of balance of regular appropriations, and also of sums deposited to cover expenses of surveys and inapplicable to the prosecution of the field work

You are required to transmit here certificates of deposit herein alluded to immediately upon their being filed in your office, so that precise information upon the subject of the surveying finances may be in the possession of this office

Instructions placing at your disposal the appropriations which have been provided for salaries and incidental expenses for the next fiscal year will be duly dispatched

Very respectfully your Obt Servt
Jos. S. Wilson
Acting Commissioner

Department of the Interior
General Land Office
April 26. 1865

John A. Clark Esq.
Surveyor General
Santa Fe N. M.

Sir

By a decision of the Commissioner of Internal Revenue, dated 5th inst. all contracts executed by the Government, as a party thereto, are exempt from Stamp duty; hence there will hereafter no necessity for affixing stamps to contracts with Deputy Surveyors

Very respectfully your obt Servt
J. M. Edmunds
Commissioner

Department of the Interior
General Land Office
May 8. 1865

Surveyor General
Santa Fe New Mexico
Sir

You have already been informed that the last Congress made no appropriations for surveys for the fiscal year ending June 30. 1866

By "An Act making appropriations for the Legislative, Executive and Judicial expenses for the Government" approved March 2° 1865, there is appropriated "For compensation of the Surveyor General of New Mexico and Arizona and the Clerks in his office $7000 Cts; of which sum the Surveyor General is to receive $3000 Cts and his clerks $4000 Cts — By the same act there is appropriated "For compensation of translator in the office of Surveyor General of New Mexico & Arizona $2000" The unexpended balances of former appropriations "for office rent and other incidental expenses" being sufficient for the next fiscal year, no appropriations for this purpose are made by the last Congress

Very respectfully &c
Jos S Wilson
Acting Commissioner

Circular

Department of the Interior
General Land Office
May 11. 1865.

Surveyor General
Santa Fe N. M.
Sir

You are required to prepare and transmit to this Office:

1st Your estimates for the surveying service for the fiscal year ending June 30 1867, in time to reach here by the 15th day of July next.

In submitting these estimates you will state the basis upon which the same are made, designating the localities in which surveys are proposed, and how the public interests are best to be subserved by giving preference for extending or on their during the year the surveying operations in the regions you may designate and recommend

2nd The next annual report of the surveying operations

in your district should be prepared in duplicate and in the annual form, to be dispatched in time or as to be received here by the first of September next

3d It is desirable that your report should deal with other topics than those intimately and usually connected with the surveying service, such for instance as the mineral, agricultural, fisheries, forest and other products of your surveying District, as it is deemed expedient to exhibit through this auxiliary channel of information, the varied resources of the country so as to attract immigration to different regions of public domain, possessing fertile soil and affording other natural advantages to the varied branches of industry augmenting the wealth and well being of industrious classes of people, and adding to the general prosperity of the country

The details on these points, it is desired may be as complete as your means and abilities will enable you to furnish

You will please acknowledge the receipt of this circular

I am very respectfully your Obt Servt
Jos S. Wilson
acting Commissioner

Department of the Interior
General Land Office
June 9. 1865

John A. Clark Esq
Surveyor General
Santa Fe New Mexico
Sir

Enquiry has been made by this office as to whether inceptive pre-emptions may be asserted to lands in Arizona, that country not having been yet organized into a Land District

Upon examination I find the following legislation bearing upon the subject viz: (1st) By act of 22d July 1854, Vol 10 page 308 provision was made for Surveyor General of New Mexico then comprising the region covered by the present New Mexico, and also Arizona

(2d) The 7th section of said act subjects lands in that region to the pre-emption act of 1841, the right to be admitted whether settled upon before or after the survey. Under this law it was competent for parties claiming lands not mineral, to file their pre-emption declarations with the Surveyor General until other arrangements were made, and that power existed in said Surveyor General until 5th December 1860 when

(3d) The duties of receiving such declaratory statements in the District of "New Mexico" were transferred to the Register & Receiver under act approved 24th May 1858 Vol 11 p. 292 C 44. which went into effect 24th Nov. 1858 and hence the said Register & Receiver relieved the Surveyor General from his ex officio duties in this respect which up to that date were exercised with the Territory of New Mexico & the country now within Arizona The duties of Register & Receiver in this respect, and to that extent, continued up to 24th February 1863. Vol 12, page 664, the date of the act organizing Arizona

(4th) Among the offices for which provision is made for Arizona by said Act of 1863 is a Surveyor General, the powers of said offices to be "such as are conferred upon the same offices by the act organizing the territorial Government of New Mexico" which offices this law of 1863, orders to be appointed in the same manner &c; and "the acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico not inconsistent with the provisions of this act are" thereby extended to and continued in force in the said Territory of Arizona until repealed &c, but

(5th) By the act of July 2, 1864 Statutes for 1864 page 352, it is declared "that the Territory of New Mexico and the Territory of Arizona shall constitute one Surveyor Generals District" Now as Arizona is not yet organized into a "Land District", the Surveyor General of New Mexico and Arizona is delegated in virtue of said Act 22d July 1854 and the provision in said Act of 26th July 1864 the power of receiving declaratory statements -, to be noted by him on the township plats, & to be transferred hereafter upon the organization of Arizona into a Land District, to such officers as may be constituted by law for the sale and disposal of the public lands in that Territory

(6th) It will be understood of course that no declaratory statement can be filed on lands whilst unsurveyed, nor on lands reserved for military or other public uses, nor to embrace precious metals - and further, that,

(7th) In virtue of the requirement of the 7th Section of the Act of 30th May 1862, Vol. 12 page 410 - such declaratory statements where settlements are made before survey, must be filed within three months from the date of the preemption and deposit in Surveyor Generals office of the approved plat of the township embracing such preemption settlement, or when such settlement was made after survey, within three months from date of settlement See 5th Section - Preemp. Act 3d March 1843

Very respectfully your Obt Svt

J. M Edmunds

Commissioner

Department of the Interior
General Land Office June 14. 1865

U.S. Surveyor General
Santa Fe, New Mexico
Sir

Herewith you will receive copies of an order made by the President of the United States on the 9th inst. and of a letter of the Secretary of the Interior addressed to this office upon the subject of the enslavement of Indians in the Territory of New Mexico

It will be your duty fully to comply with the requirements therein set forth, and any infraction thereof, you will immediately report to this office

You will acknowledge the receipt of this letter

I am very respectfully
your obedient servant.
J. M. Edmunds
Commissioner.

Department of the Interior
Washington D.C. June 12. 1865

Sir

I enclose herewith a copy of an order, issued on the 9th instant by the President to the Heads of the several Executive Departments

You will forthwith, direct the subordinate employés and agents of this Department who belong to the land service within the Territory of New Mexico, to discountenance the practice mentioned in the order aforesaid, and to use all lawful means to suppress the same.

You will instruct them to report to this Department, all instances of the practice in question which they have personal knowledge or information from sources entitled to credit. Such violations of the personal liberty of Indians, and the exactions from them of unrequited labor, should not be tolerated in a country professing to be free

It is my fixed determination to use whatever power this Department may possess to prevent a repetition of them. I therefore expect that the officers under its control or supervision will cheerfully cooperate in putting an end to this barbarous and inhuman practice. If our present means should not be sufficient to accomplish the object, Congress will be asked to authorize more vigorous measures

I am Sir very respectfully your Obedient Servant

Hon. James M. Edmunds
Commissioner of the General Land Office

Jas Harlan Secretary of the Interior

Executive Mansion
June 9. 1865.

It is represented to me, in a communication from the Secretary of the Interior, that Indians in New Mexico have been seized and reduced into slavery, and it is recommended that the authority of the Executive branch of the Government thereof be exercised for the effectual suppression of a practice which is alike in violation of the rights of the Indians and of the organic law of the said Territory

Concurring in this recommendation, I do hereby order that the Heads of the several Executive Departments do enjoin upon the subordinates, agents and employés under their respective orders or supervision in that Territory to discountenance the practice aforesaid, and to take all lawful means to suppress the same

Andrew Johnson

Department of the Interior
General Land Office
August 14. 1865

John A. Clark Esq
Surveyor General
Santa Fe New Mexico

Sir

I have to acknowledge the receipt of the following letter viz:

Yours of June 6th 1865, suggesting the propriety of increasing the surveying rates per mile, allowed for your District by our letter of 24th May 1862. In reply I have to say that in view of the existing financial condition of the country and a very limited demand for the survey of the Public Lands in New Mexico & Arizona I deem the proposed augmenting the surveying rates inexpedient

Your communication of the 7th June last, transmitting copy of the application of John D. Watts atty. filed in your office on that day, to locate the fifth float of land for the heirs of Luis Maria Baca under the provisions of the act of Congress approved June 11. 1864, the locality being in Arizona. As you state that you possess no information of the character of the land located no survey thereof can be authorized until evidence is obtained by you as the fact that the land thus located is not mineral nor occupied under the laws governing the disposition

of the public lands:— and
Copy of the 30th June last transmitting your semi annual property return ending on that day
Very respectfully your obt Svt
J. M. Edmunds
Commissioner

Department of the Interior,
General Land Office,
November 10, 1865.

John A. Clark, Esq.,
Surveyor General,
Santa Fe, Newmexico

Sir— I am in receipt of your letter of the 14th September last enclosing certificate of Messrs Charles D. Poston and John Moss dated May 1, 1865, to the effect that the land selected by John S. Watts, attorney for heirs of Luis Maria Baca as relocation under the act of Congress approved June 11, 1864, is unoccupied and not mineral. The relocation of the fifth and the last of the series being in lieu of the location made on the Pecos river was dated May 6, 1865, approved by you and transmitted to this office with your letter of the 7th June last. The tract of land constituting the relocation being situated at the head of Francis creek, one of the tributaries of Bill Williams' Fork of the Colorado in Arizona.

The certificate which accompanies your letter is not such as to enable us to base our official action thereon; and therefore no definite proceeding in reference to the survey of the claim is indicated to you

I am, very respectfully, your obedient servant,
J. M. Edmunds,
Commissioner.

Department of the Interior,
General Land office
May 1, 1866.

John A. Clark, Esq.
Surveyor General,
Santa Fé, N.M.

Sir:—

In a communication dated the 12th of April last, anticipating that you will soon be called upon to survey the San Pedro grant in New Mexico, you ask to be instructed upon the following points in regard to the location and extent of said grant, to wit:—

1.— Is the summit or base of the mountains which limit the grant on the east and west to be taken as the boundaries?

2.— What is the extent of the additional grant of one league on the South?

3.— What bearing has the mention of the "Las Lagunitas de los Indios" and the Ceja de los Facunditas in the petition upon the Southern boundary?

In answer to your inquiries I reply:

1.— The base of the mountain named in the grant as its limits on the east and west should be taken as the boundary. It will be observed that Don Pedro Sec Perea, "justice of the peace of Bernalillo," states that it "is situated on the edge of the mountain Sandia," and this is the natural construction of the terms of the grant. It was not mountain ledges or mineral lands that were prayed for or granted, but "land suitable for the cultivation of corn," "lands for cultivation" and for "pasture."

2.— The additional grant of one league on the South is one square league "containing 5000 varas—("criadero de ganado mayor, que es una legua de 5000 varas," meaning clearly 5000 varas square) It cannot be more than a square league without embracing a greater area than the terms of the grant specify. When the claim is surveyed you will locate this square league so as best to conform with the evident meaning of the grant.

3.— The reference in the petition to the "Las Lagunitas de los Indios" and the "Ceja de los Facunditas" in connection with the Southern boundary do not change the boundaries of 1839 and 1840. The boundaries as therein described were known and recognized many years back of that date, and conformed to the objects and purposes for which the grant was made, and are expressly made the basis of the revalidation of 1845.

In establishing the boundaries of the square league on the South reference should be had to the points referred to in the petition of Don Serafin Ramirez, but said league must not embrace a greater area than the 9000 varas to which it is expressly limited by the terms of the grant.

Very respectfully your obt. Servt,

S. M. Edmunds,
Commissioner.

Department of the Interior,
General Land Office,
May 21, 1866.

Wm. A. Clark, Esq,
Surveyor General,
Santa Fé, New Mexico.

Sir:—

On the 6th day of April, 1864, instructions were issued by this Office to Levi Bowyers, Surveyor General of Arizona, for the Survey of one of the four locations conformable to the heirs of Don Luis Maria Baca und. the 6th section of the act of Congress approved June 21, 1860. The starting point of the location of the claim was to be a point one mile and a half from the base of the Sandia mountains in a direction north

forty-five degrees east of the most point of said location.

The original instructions as aforesaid were by my reference to the office by John S. Watts, attorney for heirs of Luis Maria Cabeza de Baca dated April 21, 1866, together with a diagram of the intended location, both correctly described by him in his application of the 17th June, 1865, addressed to you as the Surveyor General of New Mexico. The papers thus returned are herewith transmitted to you, with directions that you cause the survey to be executed in accordance with the amended description of the beginning point, which is described in Mr. Watts' application of the 21th April last; provided, by so doing the outboundaries of the grant thus surveyed will embrace vacant lands not mineral.

I am, very respectfully &c.
J. M. Edmunds,
Commissioner.

Washington City, April 20, 1866.

Hon. James M. Edmunds,
Commissioner of Land Office.

Sir.—

I have the honor to respond to your letter of June, 1865, addressed to the Surveyor General of New Mexico, an application for the location of one of the five locations confirmed to the heirs of Luis Maria Cabeza de Baca under the 10th section of the act of Congress approved June 21, 1860. I further state that the existence of war in that part of the Territory of Arizona, and the hostility of the Indians prevented a personal examination of the locality prior to the location, and not having a clear idea as to the direction of the different points of the compass, when the subsequent examination of the location was being made by Mr. Wrightson in order to have the location surveyed it was found that the mistake made would result in leaving out most of the land designed and intended to be included in said location. Mr. Wrightson was killed by the Indians, and no survey has been made because of said mistake in the initial point of said location. Under these circumstances I beg leave to ask that the Surveyor General of New Mexico be authorized to change the initial so as to "commence at a point three miles west by south from the building known as the Hacienda de Santa Rita, running thence from said beginning point, north twelve miles 36 chains and 44 links, thence east twelve miles 36 chains and 44 links, thence south twelve miles 36 chains and 44 links, thence west twelve miles 36 chains and 44 links, to the place of beginning. I beg leave further to state that the lands which will be embraced by this change of the initial point is of the same character of unsurveyed vacant public land as that which would have been set apart by the location as first solicited, but is not the land intended to have been covered by said location, but the land to be included within the boundaries above designated; is the land that was intended to be located and was believed to have been located upon until preparations were made to survey said location.

Under this state of the case it is hoped that directions will be given to the Surveyor General to correct the mistake.

Yours respectfully,
John S. Watts,
Atty for heirs of Luis Maria Cabeza de Baca.

Department of the Interior,
General Land office,
May 23, 1866.

John A. Clark, Esq.,
Surveyor General,
Santa Fe, New Mexico

Sir.— Referring to your communication of the 7th June last enclosing copy of the application approved by you of John S. Watts, Esq., as attorney for the heirs of Luis Maria Baca, to relocate one fifth part of the private claim under the act of Congress approved June 11, 1864, the location being in Arizona, and also to your reply of November 10th, to yours of September 14, 1865, I have now to say that the views of this office respecting the final proceedings on your part in causing the survey to be made of the aforesaid claim, are hereby modified; and you are authorized to have the claim surveyed, at the cost of the party applying for it, and in conformity to the description given by the aforesaid attorney in his application dated New York, May 6, 1865. The authority thus given you for the survey of the fifth location of the claim is accompanied with the proviso that the outboundaries of the grant will embrace vacant land not mineral, as provided in the 6th section of the act of Congress confirming the claim approved June 21, 1860.

I am, very respectfully, your obedient servant,
J. M. Edmunds,
Commissioner

Washington, 11 June, 1866.

Hon. John A. Clark,
Surveyor General of New Mexico, Santa Fe.

Sir:—

As attorney for the heirs of Luis Maria Baca, I hereby request that you will cause to be surveyed one of the five locations confirmed to the heirs of Don Luis Maria Baca under the 6th section of the act of Congress approved June 21, 1860, said location being situated in the Territory of Arizona and described as follows, to wit:—

Beginning at a point three miles west by south from the building known as the Hacienda de Santa Rita, running thence from said beginning point north twelve miles 31 chains and 44 links, thence east twelve miles 31 chains and 44 links, thence south twelve miles 31 chains and 44 links, thence west twelve miles 31 chains and 44 links, to the place of beginning.

436

The expense of making the survey, office expenses, &c., I will deposite as you may direct.

Very truly yours,
John S. Watts,
Attorney for heirs of Luis Maria Baca, by G. Wrightson.

Department of the Interior,
General Landoffice
July 28, 1866.

John A. Clark, Esq.,
Surveyor General,
Santa Fé, N.M.

Sir:— The experience in this Office having demonstrated the desirableness of a change in the system adopted for the numbering of fractional lots of the public lands as illustrated on "Diagram B," accompanying the printed Manual of Surveying Instructions issued February 22, 1855, it has been decided to substitute in lieu thereof a more simple and less inconvenient system.

It is now proposed to employ but one continuous series of numbers in each section containing fractional lots, to embrace all lots made fractional by any cause and not containing the recognized legal quantity of some legal subdivision, but those subdivisions in the exterior halves of sections in the north and west tiers of sections in a township which contain eighty or forty acres will not be numbered in the future preparation of plats. The printed instructions on pages 25 and 26 of the aforesaid Manual are hereby modified to that extent.

Accompanying this letter is a "Diagram B," illustrating the proposed change in numbering, and which is designated in red ink on the same.

When islands are situated in two or more sections the lots should be embraced in the series of numbers of the respective sections in which they are located. Islands situated wholly within a section may be numbered as one lot unless the area exceed 160 acres, in which case they should be divided by extending the subdivisional lines across them and then numbered.

You are requested to acknowledge the receipt of this letter, and cause these instructions to be carried out in your Office.

I am, very respectfully, your obedient servant,
S. W. Edmunds,
Commissioner.

Santa Fé, N.M.,
August 9, 1866.

General John A. Clark,
Surveyor General of New Mexico,
Santa Fé, N.M.

General:—

I have the honor to request that you will cause to be surveyed the private claim known as the San Pedro Grant, confirmed to Jose Serafin Ramirez by act of Congress June 21, 1860, and also the private claim, No. 70, known as the Cañon del Agua grant, confirmed to said Jose Serafin Ramirez by act of Congress approved June 12, 1866.

Very respectfully, your obedient servant,

A. B. Carey,
For myself and other owners.

Department of the Interior,
General Land Office,
Washington, Sept. 11, 1866.

John A. Clark, Esq.,
Surveyor General New Mexico,
Santa Fé, N.M.

Sir:—

By an act of Congress entitled "an act making additional appropriations and to supply the deficiencies in the appropriations for sundry civil expenses of the Government for the fiscal year ending the thirtieth of June, 1866, and for other purposes," approved April 7, 1866, there was appropriated for your district the following amounts, to wit:

1st.—"For surveying the public lands in New Mexico five thousand dollars."

This appropriation was based upon estimates submitted by this office fixing maximum rates for surveying at $15. per lineal mile for standard lines, $12 for township lines and $10 for section lines.

Per act of Congress entitled "an act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1867, and for other purposes," approved July 28, 1866, there was appropriated "for surveying the public lands in New Mexico at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for townships and ten dollars for section lines, five thousand dollars."

You will therefore keep within these rates in letting contracts for the survey of the public lands payable out of the foregoing appropriations.

In determining where surveys should be made you will give preference to those localities where the lands are required for immediate and actual settlement.

It is left to your good judgment to apportion the means placed under your control in such a way as will best subserve the public interests and meet the requirements of the settlers.

The limits of Arizona have been reduced on the northwest per act of Congress approved May 5, 1866, by cutting off that portion of Arizona "commencing on the thirty-seventh degree of north latitude at the thirty-seventh degree of longitude west from Washington, and running thence south on said degree of longitude to the middle of the river Colorado of the West, thence down the middle of said river to the eastern boundary of the state of California, thence northwardly along said boundary of California to the thirty-seventh degree of north latitude, and thence east along said degree of latitude to the place of beginning" provided, that the territory mentioned in this section shall not become a part of the State of Nevada until said State shall, through her legislature, consent thereto;" and added to the State of Nevada.

As it is deemed expedient to initiate surveying operations in the Territory of Arizona, the recommendations made in your report to this office under date of May 24, 1865, suggesting the monument erected in 1851 by the Mexican boundary commission, situated at the confluence of the Gila and Salt rivers as the initial point, is concurred in by this office—from which point you will establish the base and meridian lines for the public surveys in Arizona, and calling this special meridian by the name of "Gila and Salt River Meridian"

The appropriations remaining unexpended for surveying the public lands in Arizona amounts to $14,684, which you are authorized to apply towards the establishment, surveying and marking the standard lines, townships and such subdivisional lines as you will deem exigencies will require them, at the rates not exceeding those allowed for the similar surveys in New Mexico.

By act of Congress approved July 23, 1866, there are appropriated "for compensation of the Surveyor General of New Mexico and Arizona three thousand dollars."

There are existing unexpended balances of former appropriations on the score of clerk hire and compensation of Translator amounting to $5900 available for the fiscal year ending June 30, 1867.

For such time as you may find it necessary to employ clerical assistance during the fiscal year one employé may be paid out of this sum. In connection with this subject it is proper here to state that where parties, pursuant to law and the instructions from this office dated August 21, 1854, to the Surveyor General of New Mexico—see printed Report 1854, pages 19 to 26 inclusive—present claims for examination, you will require in each and every case that, in filing the original title-papers, they shall accompany them by sworn translation, with plat showing the exact locality and limits, always requiring each party to specify the area claimed within the alleged limits, the plat presented to be so prepared as to enable the Surveyor General to identify and fix localities on a connected map of the country. Owing to the existence of unexpended balances of appropriations for incidental expenses no estimates were submitted and no appropriation made for the Surveyor General's office in New Mexico, the balance for this purpose, $3989, being greater than will be required for the fiscal year ending June 30, 1867.

Your annual estimates and annual report, transmitted with your letters of July 7 and August 21, 1866, respectively, have been received.

I am, very respectfully, your obt servant,

Jos. S. Wilson, Commissioner.

Department of the Interior,
General Land office,
November 13, 1866.

John A. Clark, Esq., Surveyor General,
Santa Fé, New Mexico.

Sir:— I have to acknowledge the receipt of the following communications from your office:

1.— Letter dated August 11, 1866, transmitting a Duplicate contract entered into with William W. Griffin, deputy Surveyor, dated August 9, 1866, for the Survey of San Pedro grant and that of Cañon del Agua, for my approval, together with a certificate of deposit for $200, deposited with you by the claimants on account of the office work estimated by you and to be placed to credit of appropriation for compensation of Surveyor General of New Mexico and the Clerks in his office Perceiving that you had estimated at $936 the cost of the Survey of the foregoing grants and received the amount from the claimants under impression that there was no appropriation for the Survey of private claims in New Mexico upon the books of the U. S. treasury to credit it to, you have deposited the said $936 with the U.S. Designated Depositary at Santa Fé to your own credit, intending to pay the deputy when his work is approved, instead of depositing the same to the credit of the U.S Treasurer on account of appropriation "for surveying the public lands and private land claims in New Mexico," there existing unexpended balances of the appropriations of June 25, 1860, March 2, 1861, and March 1, 1862, amounting to $10,703.23. You will therefore, upon the receipt hereof, deposit the actual sum of $703.91, the amount of Mr. Griffin's expenses of Survey under his contract, with the designated Depositary, to the credit of the U. S. Treasurer, on account of the appropriation hereinbefore quoted, and transmit the certificate, with the Deputys' accounts, for settlement. The contract of Mr. Griffin is hereby approved and placed on the files of this office.

In regard to the price allowed to the Deputy per lineal mile I have to say that it accords with the allowance made for the survey of private claims in your district in letter from this office dated April 23, 1859.

2.— Letter dated September 29, 1866, acknowledging the receipt of our annual instructions of the 11th September last, and asking whether the appropriation of $10,000 for surveying the public lands approved July 2, 1864, and that of $5000 for the survey of public lands and private land claims approved March 1, 1862 as well as the unexpended balance of the appropriation of March 2, 1861, amounting to $20,703.23, not placed under your control in our letter of September 11, 1866, are not now applicable to the surveying service in New Mexico, adding that all the funds appropriated can be advantageously expended. In reply to this I have to say that in placing under your control the $10,000 appropriated by Congress April 7 and July 28, 1866, it was deemed adequate for the surveying service during the present fiscal year, in view of the fact that no demand exists for the public lands in New Mexico, there having been surveyed there upwards of two and quarter millions of acres, and none sold as yet. For this reason it is not intended by this office to expend more than $10,000 during this fiscal year.

4440

3.— I have also to acknowledge the receipt of your letter of the 15th ultimo requesting to be furnished with the fieldnotes of the survey of the lines between the State of Texas and New Mexico, in order to enable you to close the lines of the public surveys thereon. In answer I have to say that no fieldnotes of that survey are at our disposal: all we can do at this time is to send you copies of diagrams of the survey showing the topography and posts erected by the boundary commission, which diagrams are being prepared for transmission.

4.— Your letter of the 25th ultimo transmitting the returns of the surveys of San Pedro and Cañon del Agua grants has been received.

I am very respectfully your obedient servant,

Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
November 3, 1866.

John A. Clark, Esq.,
Surveyor General,
Santa Fe, N.M.

Sir:— I am in receipt of your letter of the 9th ultimo forwarding contract and bond with Hiram C. Fellows, D. S., for the survey of the second Parallel South, east to the Pecos river, and 330 miles of township lines.

The foregoing contract, involving a surveying liability of six thousand Dollars, having been found unobjectionable, is hereby approved and placed on the files of this office.

Very respectfully your obedient servant,

Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
January 2, 1867.

John A. Clark, Esq.,
Surveyor General,
Santa Fé, New Mexico.

Sir: Your letter of the 17th ultimo covering a contract entered into with William A. Pierce, Deputy Surveyor, for the survey of the base, Principal Meridian, Standard Parallel and certain exterior township lines, has been received.

The contract bears date December 15, 1866. It creates a surveying liability of $7,580; and the field of operations being in the localities recommended by you and concurred in by this office on the 11th September last, the same is hereby approved and placed on the files of this office.

I have however to remark that the approval of Mr. Pierce's contract should have been first obtained before dispatching him to the field of his operations. The irregularity in this instance is waived from the fact of said

known qualifications of Pierce as a Surveyor and his familiarity with the system of Government Surveys executed by him in Colorado Territory.

You will strictly observe the requirements of law in relation to the approval of contracts by this office in your future lettings of the same.

I am very respectfully your obedient servant,

Joseph S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
January 5, 1867.

John A. Clark, Esq., Surveyor General,
Santa Fe, New Mexico.

Sir:— I have received your letter of the 20th ultimi covering a contract of even date entered into with Isaac C. Stuck, Deputy Surveyor, for the extension of the 3rd & 4th Standard Parallels or Correction Lines South and West of the Principal Meridian; also for the survey of Exterior Lines of Townships in the valley of the Mimbres river. The contract incurs a surveying liability of $4000, being within the means appropriated for the purpose and otherwise unobjectionable, is hereby approved and placed on the files in this office.

I am very respectfully your obedient servant,

Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
January 31, 1867.

John A. Clark, Esq.,
Surveyor General,
Santa Fe, New Mexico.

Sir: In reply to your letter of the 5th ultimo I have to say that no reconsideration of my action in regard to the prosecution of the public surveys can be made with a view to placing at your disposal the entire amount of the appropriation applicable to the surveys in New Mexico.

In adhering to the policy adopted and the reasons assigned in my letter to you of the 13th November last why the $10,000 placed at your disposal during the present fiscal year cannot be exceeded, I have to add that the remaining funds have been retained for the prosecution of surveys within the fiscal year ending June 30, 1868, for which purpose no estimates have been submitted.

As the provisions of the mineral act passed July 26, 1866, will require extension of the lines of public surveys perhaps to other localities than those mentioned in your letter of the 7th December last, the requisite means will be devoted to the carrying out of the same; and this

consideration also demands husbanding the resources on hand over and above the $10,000 allotted to the Survey of New Mexico for the present fiscal year.

I am very respectfully your obedient servant,
Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
February 16, 1864.

Sir.—

Your letter of the 26th ultimo has been received. Herewith I furnish you a statement of the unexpended balances to the credit of the various appropriations applicable to the surveying service in your district at this date

| | |
|---|---|
| For compensation of the Surveyor General | $ 1,500.00 |
| " " " Clerks in the office of the Sur. Gen'l of N. M. | 4,138.09 |
| " " " " " " " " " & Arizona | 4,000.00 |
| " " " Translator " " " " " " | 929.37 |
| " rent of Sur Gen's office, fuel, books, stationery, etc | 3,548.71 |
| " Surveying the public lands & private land claims in N. M. | 10,703.23 |
| " " " " " in New Mexico | 20,000.00 |
| " " " " " " Arizona | 14,684.50 |

Very respectfully your obt. servant
Jos. S. Wilson,
Commissioner

John A. Clark, Esq.,
Surveyor General,
Santa Fé New Mexico.

Fort Bayard, New Mexico,
8th March, 1867.

John A. Clark, Esq.,
Sur. Gen'l N. M.

Dear Sir.— I have all my contract completed except the 3rd Correction line South, have set temporary closing corners at the corner to sections 1 & 6 of T. 16 S. R. 10 & 11, 11 & 12, 12 & 13, 13 & 14 W., intending to establish them permanently as I run the 3rd Correction line west from the corner to sections 34 and 35 R. 7 W. to the corner to T. 15 S. R. 13 & 14 W.

I called on Lt. Col. Duncan, told him that I had completed all my work but about 40 miles (Col. Duncan had previously advised me to put that line off until the last), and that I should like an escort to finish that. He told me that it was impossible to give me a sufficient number of men to make it safe, that the line run through the most dangerous part of New Mexico, and he, some [illegible] about

said settlers or owners of such homesteads shall have a right of pre-emption thereto, and shall be entitled to purchase the same at the price of one dollar and twenty-five cents per acre and in quantity not to exceed one hundred and sixty acres; or said parties may avail themselves of the provisions of the act of Congress approved May twenty, eighteen hundred and sixty-two, entitled "An act to secure homesteads to actual settlers on the public domain," and acts amendatory thereof.

SEC. 11. *And be it further enacted*, That upon the survey of the lands aforesaid, the Secretary of the Interior may designate and set apart such portions of the said lands as are clearly agricultural lands, which lands shall thereafter be subject to pre-emption and sale as other public lands of the United States, and subject to all the laws and regulations applicable to the same.

Approved July 26, 1866.

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SUPPLEMENTAL TO CIRCULAR OF JANUARY 14, 1867, IN RELATION TO MINING CLAIMS.

[No. 17.]

# DEPARTMENT OF THE INTERIOR.

*GENERAL LAND OFFICE,*

JUNE 25, 1867.

GENTLEMEN:

In the preparation of forms adapted to the purchase of Mineral interests under the act of July 26, 1866, it is found necessary, in connection with circular of January 14, 1867, to direct your attention to the following:

1st. Where the rules of miners do not permit ground to be occupied, except the surface of the vein or lode, the claims presented may contain less than an acre of ground. In such cases, as we do not in regard to rates deal with a fraction, the price of five dollars is to be paid for the same; if the area exceeds that quantity, ten dollars; if more than two acres, fifteen dollars, and so on.

2d. In applications for mineral claims, it will be necessary, where a claim contains *less* than one acre, that the agreement expressed should be to pay *five dollars* for the claim.

3d. Should a party appear as an "adverse claimant," as contemplated by the sixth section of the act, you will require such person to show by proof the claim or interest he may have in the mine; and should the same be satisfactory to you, all further proceedings will be stayed until a final settlement and adjudication shall be had in the courts. But in case the adverse claimant, after proceedings have been stayed, shall fail to institute action in the courts, either pending or at their next ensuing session, with a view to the final adjustment of the claims, you will proceed with the case as if no objections had been filed.

4th. You will enter all claims under the act in separate tract books from those used for Agricultural lands—dividing the books into Townships and Ranges, allowing about eight pages to each Township.

For the present you will use the blank forms of Abstracts of Land Sold and Register of Receipts in reporting returns, making such slight alterations in the headings as the cases may demand. Should it be found advisable in the future to have special abstracts, forms will be prepared and printed, and a supply duly transmitted to you.

You will commence a new series of numbers with the certificates—beginning with No 1—and continue the same in regular order. As no special fee is provided for in the statute, you will be allowed one per cent. each on amount of purchase-money, as in cash sales. The moneys received for these claims will be accounted for in the Receiver's returns as cash received from sale of Mineral claims.

Forms of Applications, Certificates, and Receipts are being printed, and a supply will be sent as soon as possible.

I also append an abstract of duties prescribed in instructions of 14th January, 1867.

Very respectfully,

JOS. S. WILSON,

*Commissioner.*

REGISTER AND RECEIVER.

# ABSTRACT OF DUTIES PRESCRIBED IN MINERAL INSTRUCTIONS OF JANUARY 14, 1867.

**Claimant**—To post a *notice* on the claim giving information of his intention to apply for a patent. To file a *diagram* with the Register, together with the evidence of the rules of miners in support of the claim and its extent. After the *diagram* and *notice* have been posted ninety days, and no adverse claim filed, the claimant to apply to Surveyor General for *survey* of the claim, deposit the amount estimated by the Surveyor General to cover the expenses of the *survey*, *platting*, and *notice* with any Assistant U. S. Treasurer or designated depository in favor of the U. S. Treasurer, to be passed to the credit of the fund created by "Individual Depositors for the surveys of the public lands," taking duplicate certificate of deposit, filing one with Surveyor General, to be sent to the General Land Office, and retaining the other; and when the survey is approved and diagram thereof, together with the Surveyor General's certificate as to improvements and character of the vein exposed, the claimant to pay to the Receiver the price of the claim.

**Register and Receiver**—To examine testimony filed by claimant showing the applicability of miner's rules in reference to the extent of the claim, which testimony is to be reduced to writing and filed with the claimant's application in the Register's office. Also, to examine the returns of survey approved by the Surveyor General and filed by the claimant.

**Receiver**—To receive from the claimant the price of the claim on his filing with Register and Receiver the approved plat and certificate of the Surveyor General as to the value of improvements and character of vein exposed, based on testimony by two reliable witnesses.

**Register's** diagram of the claim being filed by the claimant, the Register shall publish a notice in a newspaper nearest to the claim, naming the *mine*, *claimant*, *adjoining claimants*, *district*, *and county*, informing the public that application has been made for a patent. The Register will post the notice in his office for ninety days, and on the publisher's presenting his account to the Register immediately on the expiration of the ninety days, he will transmit it to the Surveyor General; and, on the receipt from the claimants of the Surveyor General's certificate of the improvements on the claim, together with plat and other evidence of the survey approved, also the Receiver's receipt for the payment for the claim, the Register will transmit same, with proof, indorsed by Register and Receiver as satisfactory, to the Commissioner of the General Land Office for patent.

**Surveyor General's** duty when no adverse claim is filed, proof furnished that the *diagram* and *notice* had been posted for ninety days, and on receiving also from the Register the account of the publisher of the notice: The Surveyor General, when applied to by the claimant for the survey of his claim, shall estimate the expense of the *survey*, *platting*, and *notice*, and when a certificate of deposit is filed with him by the claimant he shall order the survey to be made, and transmit the certificate of deposit to the General Land Office. When the returns of survey are made to the Surveyor General's office, he will approve the same, hand the necessary evidence thereof to the claimant, to be filed by him in the Register and Receiver's office for examination and final preparation of patent certificate by the Register for transmission to the Commissioner of the General Land Office. The Surveyor General will also transmit returns of the survey to the Commissioner, with the account of the Surveyor and that of the publishers of the notice, for direct payment from U. S. Treasury to parties entitled, as in the case of payments made out of the funds deposited under the tenth section of the act of Congress approved May 30, 1862, and joint resolution of June 1, 1864.

me to defer running it until some disposition should be made of the Indians. I then told [him] I should like a written statement of his inability to furnish me protection, and received from him the enclosed letter.

Under the circumstances I think it best to run 18 miles of the 3rd correction line south so as to complete ranges 11, 12 & 13 west; and shall commence at the temporary closing corner to secs. 1 & 6 of T. 16 S. R. 10 & 11 W., first establishing and marking it for a permanent closing corner, making an allowance for convergency between meridian and range line of 15 chains, and running thence west 18 miles, setting and marking the temporary closing corners between ranges 11 & 12, 12 & 13, 13 & 14, as permanent closing corners on said correction line as I proceed. I shall do this in order to complete as before stated the exterior boundaries of T. 16 S. R. 11, 12 & 13 West.

The Indians are very hostile. Two ranches on the Mimbres river have been attacked since I commenced work, and all the property of the owners stolen and their houses burnt. My party are unwilling to proceed without protection; and under these circumstances I think the above the best course to pursue, and hope it may receive your approval.

Very respectfully,
J. C. Stuck,
Dep. Sur.

Fort Bayard, N.M., March 5, 1869.

To Isaac C. Stuck, Esq.,
U. S. Dep. Surveyor.

Sir.— From the statements you have made to me in regard to the direction of the 3rd Correction Line South, I am satisfied it runs through a portion of New Mexico where it would not be safe or advisable to attempt the survey without a large escort; and at this time it is impossible for me to furnish a sufficient escort from this post.

A. Duncan,
Lt. Col 125th U.S.C.I., Commdg Post.

Tucson, Arizona, March 8th, 1869.

John A. Clark,
Surveyor General N.M. and Ariz.

Sir:— I have the honor to return herewith "Fieldnotes of the survey of the Base line, First Correction line N., and twenty-four miles of the Gila and Salt River Meridian," in Arizona Territory.

I would respectfully ask to be released from the obligation to complete my contract, as it is impossible, on account of Indian hostilities, to finish the work without a military escort, nor have I able to get such an escort on account of the small number of troops in this Territory, and the men of my party refused to work without military protection. I enclose request to comma

4 2 4 2

officer district of the Verde, with endorsement, and would say that while a large portion of the work is within the limits of his district, I was unable to get an escort from the commanding officers of districts of Prescott or Tucson.

Very respectfully,
William H. Pierce,
U. S. Dep Surveyor.

Fort McDowell, Ariz,
February 13, 1867.

Guido Ilges,
Brt. Lt. Col. Comdg. dist. of the Verde.

Sir:— The escort which accompanied me on my survey having been relieved, I would respectfully ask that a detail of twelve men be made to escort my survey party while at work in your district, as it is considered unsafe to work without a military escort. If it is impossible to furnish the required escort at present, is it probable that one can be furnished at an early day?

I have the honor to be, very respectfully, your obt. servant
W. H. Pierce,
U. S. Dep. Surveyor

[Endorsement.]

Headquarters Dist. of the Verde,
Camp McDowell, A.T., Feb. 13, 1867.

Respectfully returned, with the information that this escort cannot be at present furnished, as there are but few men at the post, and a number of these are soon to be discharged; and furthermore, it is very improbable that an escort can be furnished until other troops arrive in the district.

By command of Brt. Lt. Col. Ilges
T. Lovelay,
Capt. 14th Inf. Actg Post Adjt.

Department of the Interior,
General Land-office,
March 26, 1867.

John H. Clark, Esq., Surveyor General,
Santa Fe, New Mexico.

Sir:— I am in receipt of your letter of January 5, 1867, transmitting deposition taken before you in regard to the grant made by the Government of Spain to the Pueblo of Santa Ana, and recommending that the grant be confirmed by Congress. The papers received with your said letter have been submitted to the Department of the Interior with the request that they be laid before Congress for their final confirmation.

On referring to the annual report of the Surveyor General of New Mexico for 1861 at page 125 of the Gen. Land-office report for that year, it will be seen in the

statement of the names of all the Pueblos in Newmexico that No. 20, relating to the Pueblo of "Santa Ana", was reported by the then Surveyor General as not acted on for the reason that no claim had been filed in his office: which shows that the late Surveyor General Sebhain's statement was erroneous in his annual report of September 30, 1855 — that the grant made by the Government of Spain to the Pueblo of Santa Ana was filed, examined and approved by him.

I am, Sir, very respectfully, your obt. servant,
Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
March 26, 1867

John A. Clark, Esq., Surveyor General, New Mex. and Arizona,
Santa Fe, New Mexico.

Sir.— Upon the receipt of this you are requested to prepare and transmit to this office the usual estimates for the surveying service for your district for the fiscal year ending June 30, 1867, which consists of New Mexico alone. The estimates should be sent in time to reach here with certainty by the first day of August next — not later. Your annual report of the surveying operations in duplicate should be transmitted to this office so that the same may reach us with certainty by the first day of September next. Inclosed I transmit you 12 copies of the map of New Mexico and Arizona which accompanied our annual report for 1866

I am, Sir, very respectfully, your obt Servant,
Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
March 29, 1867.

John A. Clark, Esq., Surveyor General,
Santa Fe, New Mexico

Sir.— By the provision of the fourth section of an act of Congress entitled "an act to create the office of Surveyor General in the Territory of Montana and to establish a Landoffice in the Territories of Montana and Arizona", approved March 2, 1867, the Territory of Arizona, heretofore forming part of the Surveying district of Newmexico, was attached to California, and it therefore constitutes a part of the latter surveying district from and after the passage of the said act.

Upon the receipt of this you are requested to collect the original archives belonging to the surveying service in Arizona and transmit same to the Surveyor General of California at San Francisco, California, so that he may see the extent to which the surveying service in Arizona progressed and be in proper condition to prosecute the same during

the ensuing season - reserving, however, such ones as are necessary for the proper approval of surveys that have been and may be executed in the field under existing contracts entered into prior to the 2nd instant, as all such work will be completed under your supervision

Upon the winding up of the fieldwork in Arizona you will transfer the residue of the evidences of surveys instituted therein; and in the meantime it is desired that you put the Surveyor General of California in possession of the present condition of the surveys, their localities, extent, and such other information relating thereto as you think proper that he should know for the public interest and good of the surveying service.

You are requested to acknowledge the receipt of this communication at your earliest convenience.

I am very respectfully your obedient servant,
Jos. S. Wilson,
Commissioner

Department of the Interior,
General Land office,
March 30, 1867.

John A. Clark, Esq., Surveyor General,
Santa Fe, New Mexico.

Sir:- I have to communicate to you that by an act of Congress entitled "an act making appropriations for the legislative, executive and judicial expenses of the Government, &c.", for the fiscal year ending June 30, 1868, approved March 2, 1867, there was appropriated for the surveying service in New Mexico the following sum, to wit: For compensation of the Surveyor General three thousand dollars ($3000). The foregoing is the only appropriation that was made for the surveying service in New Mexico during the last Congress, owing to the fact that there existed unexpended balances of other appropriations calculated to be adequate for the service during the fiscal year ending June 30, 1868; and they will be, after the expiration of the present year, as follows:

For the compensation of the clerks in the Surveyor General's office, including the pay of the Translator, about seven thousand five hundred dollars ($7500); for rent of Surveyor General's office, fuel, books, &c, about $2000; and for surveying the public lands in New Mexico $20,000.

These amounts are larger than will be required for the respective objects, and you are therefore required to restrict your expenditures to the actual exigencies of the same.

The carrying out of the provisions of the mineral act of July 26, 1866, as stated in our circular instructions of the 14th of January last may demand a considerable portion of the $20,000 hereinbefore stated for the extension of the lines of public surveys to mineral regions of New Mexico; and you are hereby authorized to apply so much thereof as imperative necessities shall require the same. In regard to the prosecution of the surveys required for agricultural purposes, I leave

the election of the localities to your discriminating judgment, with confidence that it will be applied only to such portions of your district as are called for by actual settlements awaiting the surveys.

As the General Landoffice should be in the possession of information as the bases upon which you may determine to extend the public surveys in given localities, it is desired that you will report fully in this respect, sending on at the same time a diagram showing the several localities, with the data pertinent to the formation of your judgment in the particulars indicated.

In this connection I have to acknowledge the receipt of your communication of the 23d. November last inclosing a plan and estimates for survey of Navajo Indian reservation on Pecos river at Bosque Redondo. No appropriation for the survey of this reservation has been made, nor have any estimates been submitted by the Indian Bureau for that object, and therefore no survey can be made of that reservation. Your proposition in regard to the manner in which the Reservation should be surveyed meets the views of this office; and, when proper time arrives in the opinion of the Indian office, we will avail ourselves of the economical plan as illustrated by a diagram accompanying your communication.

In this connection I call your attention to the recent survey of the Cañon del Agua grant, which seems to conflict with that of Ortiz. You are requested to examine into the condition of these grants, and report to this office in reference to the supposed interference.

As the Territory of Arizona no longer constitutes a part of your surveying district, any balance that may be left for surveying purposes over and above the liability under the existing contract with Mr. Pierce will be assigned and placed under the control of the Surveyor General of California, to which Arizona has been attached.

I am, Sir, very respectfully, your obedient servant,

Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
April 4, 1867.

John A. Clark, Esq., Surveyor General.
Santa Fé, New Mexico.

Sir:— I transmit you herewith a map of the Territories of Arizona and Newmexico, the original of which accompanied the annual report of this office for 1866, and which is designated by No. 1. On this map are represented the public surveys, with the topographical features of the country, as well as the political divisions thereof.

You are requested to institute a critical examination of this map with a view to making the necessary corrections and additions in the names of towns, rivers, lakes, mineral localities, and such other data as will give completeness in all respects to the map, not omitting the boundaries of the different mining districts.

As the scale of the map will not admit of distinct representation of data which it may be desirable to lay down on the same, it is the wish of this office that you will have prepared as speedily as possible a new map of the Territory of New Mexico

on a scale of 12 miles to an inch. Upon this map you will indicate the names of towns, rivers, streams, watercourses, lakes, meadows, timber, mineral localities, with such other natural objects and improvements of interest as will give completeness to the map in every particular. I shall rely upon your so dealing with the matter that we shall show on reliable data all details in map form. Upon the new map now called for you will delineate all the surveys which may be executed up to the 30th day of June next.

As the maps of the several surveying districts are intended to be published in the next annual report of this office, for 1867, it is important that there shall be a unity of design, finish, and similarity in execution in each and all of the maps; and in this respect the map of California herewith, marked "No. 2," is designed as a specimen to be followed.

It is also important that the new and amended maps now called for should be in this office at as early a date as posible, not later than the first day of August next.

In order to facilitate the preparation of the new map now called for, I have addressed a communication to Hon. D. F. Chaves requesting him to contribute such data as he may be able to obtain, and to forward the same to you—a copy of which is herewith enclosed for your information.

You are requested to acknowledge the receipt of this communication at your earliest convenience

I am, Sir, very respectfully, your obt. Servant,
Jos. S. Wilson,
Commissioner.

Copy.

Department of the Interior,
General Landoffice,
1st April, 1867.

Hon. D. F. Chaves,
Santa Fé, New Mexico.

Sir:— Referring to your personal call of this date and the map of New Mexico and Arizona given you, which you kindly promised to put in the hands of some gentleman well acquainted with the geography and resources of those Territories for the purpose of noting upon it from reliable data the localities of cities, towns and important points, with any facts which can be obtained relative to mineral localities, agricultural resources or general improvement and development of the country, I have to request that this matter may receive your early attention, and, when completed, that it may be sent to Mr. John A. Clarke, U. S. Surveyor General of New Mexico, whose office is located at Santa Fe, in order to aid him in the preparation of a new and complete map to accompany our next annual report.

Very respectfully your obt. Servant,
Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Land Office,
April 9th, 1867.

John A. Clark Esq., Surveyor General,
Santa Fe, New Mexico.

Sir:— I have received your letter of the 19th ultimo, together with enclosures therein mentioned bearing upon the subject matter of military escort, asked for by you of General Carleton to protect the surveying party of Isaac C. Stuck, deputy surveyor, from Apache Indians in the vicinity of forts Selden and Bayard and the town of Pinos Altos in the western part of New Mexico.

Inasmuch as Genl Carleton complied with your application for the escort and Major Genl Hancock's opinion was favorable for the furnishing of the same, but that of Lieutenant General Sherman's being adverse to the project, you request that this office submit the matter to General Grant, looking to the reversal of Genl Sherman's decision, and thereby afford to U. S. deputy surveyors in your district the necessary protection from hostile Indians in the prosecution of the public surveys.

In reply I have to say that the opinion of Genl Sherman coincides with the views of this office— that where there is no chance of settlement on account of predatory and often-repeated incursions of warlike Indians, such distant localities from settled portions of your district and requiring military escorts, should not be surveyed. The expenditure of money in surveying similar portions of New Mexico will have to be omitted for the obvious reason of economy and availability of surveys which, though performed under the protection of a military force, will doubtless be obliterated by design or time, there being no owners of the lands to perpetuate the corners established under the circumstances.

In consideration of the foregoing views the decision of this office is, that if Mr. Stuck or any other of your deputies cannot be protected in their field work by settlers for the accommodation of which surveys have been undertaken, then such surveys should be postponed until pacification of the infested regions shall have been effected and settlers in sufficient force exist to defend themselves from Indian depredations without relying on the military arm, which cannot at all times be employed for that purpose; and you will please bear in mind and be governed hereafter by this view of the matter, so that no surveys shall be contracted for by you except in those places where peaceful and established settlements shall render such surveys proper and available.

I am very respectfully your obt. servant,
Jos. S. Wilson
Commissioner.

You are requested to acknowledge the receipt of these instructions.
J. S. W.

Department of the Interior,
General Landoffice,
April 10, 1867.

John A. Clark, Esq.,
U. S. Surveyor General,
Santa Fe, New Mexico.

Sir.— I enclose herewith a copy of a letter of 9th inst. from James A. Holmes, Esq., relative to an alleged Mexican grant made in 1843 for a tract of land in the vicinity of Fort Union known as "Junta de los Rios." You will please give the matter a careful examination, and report to this office with as little delay as possible whether a report has ever been made in the claim with a view to its submission to Congress, or what other action, if any, has been had in that or any other respect in reference to said claim.

Very respectfully your obt. servant,
Jos. S. Wilson,
Commissioner.

Copy.

Washington, D.C.,
April 9, 1867.

Hon. Joseph S. Wilson,
Commissioner of the General Landoffice

Sir.— In 1843 the Mexican government granted to certain parties in New Mexico a parcel of land having its centre within the confluence of the Mora and Sapello rivers and extending two and one-half leagues north, south, east and west, the approximate boundaries of which are designated on the accompanying map. At that time this locality, known as La Junta de los Rios, was on the eastern frontier of that Newmexican state and traversed by exchemely hostile Indians. The grantees immediately after being put in possession commenced its settlement, have erected large and costly forts for its defence, and from time to time several lives have been lost and much property swept away by the Indians in the endeavor to occupy and reclaim the tract to civilization. For more than twenty-three years this grant has been held by its owners with undisputed title to its undisturbed possession. Surveyor General Pelham informed the owners some eight or nine years ago that he had recommended the confirmation of the five leagues square and the matter has since rested with very little of any further action.

The contiguity of Fort Union has latterly drawn a number of the worst class of people—outlaws they might be termed—to occupy the Mora valley, on the western and eastern borders of the grant, who live, not by cultivating the soil to any extent, but by illicit trading with the soldiers and keeping brothels and stealing what they can, both from Government and from citizens.

The Government and grantees would seem to have common cause against these desperadoes. But they apart that they are encouraged to go upon the grant by the Surveyor General, John A. Clark; because the grant is cut down. These people are rendering the grant untenable to the owners, and recently

came near killing Col. Lane of Fort Union, having fired several shots at him. They respectfully beg you to cause an investigation to be made at your earliest convenience with the view of confirming their rights as owners.

I have the honor to be with great respect,

James A. Holmes,

Attorney for owners of the Santa grant.

Department of the Interior,
General Landoffice,
April 20, 1867.

John A. Clark, Esqr. Surveyor General,
Santa Fe, New Mexico.

Sir. I am in receipt of your letter of the 3rd instant, together with enclosures therein mentioned, bearing upon the subject matter of a military escort to protect the surveying party of W.H. Pierce, deputy surveyor, from hostile Indians in Arizona whilst extending the lines of the public surveys in that quarter under his contract of December 15, 1866, and recommending that Mr. Pierce be released from the obligations of his contract as requested, the military authorities being unable to afford him the necessary protection to enable him to complete the same.

In reply I have to state that this office is at a loss to understand upon what principle, in view of the public interest or even policy, it is proposed to extend the lines of the public surveys in localities where the military authorities are required to protect the surveying parties while prosecuting the work. It is manifest that if settlers are not in sufficient numbers in localities where surveys are proposed or being made to protect themselves and the surveying party from the hostile bands of Indians, there can exist no pressing necessity for the extension of the public surveys in that quarter.

A similar case to this was the subject of our letter to you on the 6th instant, in which the opinion entertained by this office upon the subject was clearly set forth, and to which you are referred.

As it appears that it is impossible under the circumstances for Mr. Pierce to complete his contract, you are hereby authorized to release him from the obligations of the same, his securities assenting to the measure, the evidence whereof you are requested to transmit to this office, acknowledging at the same time the receipt of this letter.

I am, Sir, very respectfully,
Your obedient Servant,
Jos. S. Wilson.
Commissioner.

452

Santa Fé, N. M., May 15, 1867.

Hon. Jas. A. Clark,
Surveyor General of N.M.

Dear Sir:- In accordance with your instructions I returned to the field and retraced the exterior lines to townships 11 south, ranges 13 & 14 east, also the range line between ranges 14 & 15 east of townships 11, 12, 13, 14 and 15 south, and took bearing or witness trees to all the corners on said lines wherever there were trees at a suitable distance, the fieldnotes of which are herewith returned.

The Third Correction line south running west from the corner to townships 15, ranges 14 & 15 east, in and through the Sacramento mountains I did not retrace, from the fact that the Lieutenant commanding my escort deemed his force insufficient for the protection of our party from the hostile Apaches that were known to be on our route, and my men refused to accompany me without an escort and I could not therefore comply with the instructions.

The Sacramento mountains, over which this line runs, are precipitous, and but for our striking the La Luz cañon would have found it almost impossible to take our animals over. The timber on the line is very scattering, and had it been retraced there would have been but few corners where witness trees could have been taken.

Enclosed please find the certificate of Lieutenant Van Winkle in reference to escorting my party over the mountains.

Very respectfully your obt. servant,
A. C. Fellows,
Asst. Surv.

Fort Stanton, N.Mex, April 2, 1867

I certify that while in charge of the escort of A.C. Fellows I declined to escort Mr. Fellows through Feluca cañon, as I did not deem my command of sufficient strength to meet any heavy body of Indians, known to be in that locality.

P. G. Van Winkle, jr;
2nd Lieut 3rd U.S.C.

Department of the Interior,
General Land office,
May 17, 1867.

John A. Clark, Esq., Surveyor General,
Santa Fe, New Mexico.

Sir:- I am in receipt of your letter of the 24th ultimo transmitting the returns of the establishment of the 3rd Correction line South through ranges 11, 12 & 13 West, under contract with A. C. Stuck, Esq., bearing date Dec. 24, 1866.

You state that "the survey as reported to you seems to be well and faithfully executed and in making it Mr. Stuck acted in perfect good faith"; finding,

however, irregularities in the extension of the line caused by his leaving an interval of 22 miles between the former termination of the 3rd Correction line in R. 7 W. and the R. 10 & 11 W., and by his establishing the line through R. 11, 12 & 13 W. from the 4th Correction line south, which procedure on his part you disapproved, and referred the matter to me for final decision.

The character of the lands surveyed by Mr. Stuck is found mostly unfit for agricultural purposes and the remaining portion under his contract could not be safely prosecuted on account of dangers from hostile Indians without a strong military escort, which was found impossible for the commanding officer at Fort Bayard to furnish; then too it is to be borne in mind that the surveying department took the initiative in proposing the survey of the premises within the range of Indian hostilities, and that also where the lands were unfit for cultivation, and consequently are not to be subdivided.

These considerations, as well as the mountainous country over which the unsurveyed line was required to be extended, tend to relieve Mr. Stuck of the responsibility that deputy undoubtedly established the closing corner to secs. 1 & 6 of T. 16 S. R. 10 & 11 W. with sufficient accuracy and the standard corner to T. 15 S. of the same range by calculation of the convergency of the Meridians, which process is as correct and perhaps more so than actual chaining of the 22 miles over mountains left unsurveyed on account of uncontrolable circumstances described to you in his letter of March 8th, 1867, and in that of Lieut. Col. A. Duncan, commanding post at Fort Bayard, copies of which accompanied your letter.

In view of the foregoing and the additional fact that similar contingencies are contemplated in 3rd paragraph, p. 12, of the Manual of Surveying Instructions of Feby 22, 1855, the establishment of the 58 miles of the 3rd Correction line by Mr Stuck may be admitted under the rule laid down and payment made for the survey, amounting to $272.81, as per his account accompanying your letter, which is herewith returned to you together with other papers, for your approval and authentication of the same and retransmission of them to this office at your earliest convenience.

I am respectfully your obt. servant,
Jos. S. Wilson,
Commissioner.

U. S. Surveyor General's Office,
San Francisco, California,
June 3rd, 1867.

John A. Clark, Esq.,
U. S. Surveyor General for New Mexico.

Sir:—

In the absence of Mr. Upson I have to acknowledge the receipt of your letter of April 16th ultimo, together with sketch of Survey executed by W. H. Pierce in the Territory of Arizona under contract bearing date December 15th, 1866, and stating that no other contracts had been entered into by you for further surveys than those embraced in Mr. Pierce's contract.

4[illegible]

Will you please forward to this office as soon as convenient the fieldnotes of Mr. L's surveys, also all communications you may have received from the department in relation to surveys in Arizona?

Very respectfully your obt. servant,

C. E. Gibbon, Chief clerk.

Department of the Interior,
General Land office
June 14, 1867.

John A. Clark, Esq. Surveyor General.
Santa Fe, New Mexico.

Sir:— I am in receipt of your letter of the 18th ultimo in reference to the conflict existing in the surveys of the Cañon del Agua and Ortiz Mine grants, but to what extent you say cannot precisely be ascertained owing to the fact that there is no data of record in your office by which the boundary of the Ortiz Mine grant can be identified in the field, the fieldnotes of its survey being devoid of the necessary closing corners at the points of intersections of the boundary with the lines of the public surveys. Your suggestion that the requisite connections should be made and the intersection of the Ortiz Mine grant with the boundary of the Cañon del Agua grant should be defined and properly marked is hereby approved; and you are authorized to have the same done at as early a day as practicable, so that the conflict between the grants may be shown and the fractional sections adjoining the Ortiz Mine grant can be computed.

I am very respectfully, &c.,
Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Land office,
June 22, 1867.

John. A. Clark, Esq., Surveyor General,
Santa Fé, New Mexico.

Sir:—

I have received your letter of the 23rd ultimo transmitting the returns of surveys made by Hiram G. Fellows, deputy surveyor, under his contract dated June [October?] 9, 1866, and his account, approved by you, amounting to $2268.07.

In transmitting however, the account for payment you state that the fieldnotes of the survey of the third Correction line showing that there was more or less timber on the line which perhaps might have been marked and returned as witness trees, you have directed Mr. Fellows to retrace that line and return descriptions of witness trees to such corners as they can be found within a reasonable distance; and, inasmuch as Mr. Fellows did not return to the field for that purpose, owing to hostility of Indians, you submit the question for the decision of this office "as to what portion of

the compensation, if any, should be retained to cover the cost of retracing the line and marking witness trees to the corner in accordance with instructions when the condition of the country will permit."

In reply I have to say that if you are satisfied that the country over which the 3rd Correction line was surveyed and marked afforded witness trees within a reasonable distance, and Mr. Fellows neglected to avail himself of such trees to witness the corners in the field, you should have estimated the amount necessary to cover that service and deducted the same from his account.

As you have raised the question of noncompliance on the part of Mr. Fellows with your instructions, it is for you to ascertain and determine whether the work has been done thoroughly and according to law by the deputy; and if you are satisfied by his admission or otherwise of his neglect in witnessing the corners by convenient trees, you must insist upon his completing the work properly; and, should he refuse to do so, you will deduct from his account the requisite sum to cover the expense of perfecting the work by another deputy.

You are requested to act promptly in this matter, so that Mr. Fellows' account [for] for such portion of the work as has been correctly performed may not be delayed.

I am, Sir, very respectfully your obedient Servant,
Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Landoffice,
June 27, 1867.

John A. Clark, Esq., Surveyor General.
Santa Fé, New Mexico.

Sir.— I am in receipt of your letter of the 4th inst. transmitting Surveying contracts with Robert R. Willison and Aiken & Fellows under date of the 3rd inst., involving a liability of $4800 and $5125 respectively, and chargeable to the appropriation of $20,000 for surveys in New Mexico during the fiscal year ending the 30th June, 1868. The foregoing contracts having been found unobjectionable, the same have been this day approved and placed on the files of this office.

I am, Sir, very respectfully your obedient servant,
Jos. S. Wilson, Commissioner.

Department of the Interior, General Landoffice,
July 5, 1867.

John A. Clark, Esq., Surveyor General,
Santa Fe, New Mexico.

Sir.— I acknowledge the receipt of your letter of the 12th ultimo covering the receipt of the Surveyor General of Colorado and Utah for the documents pertaining to the private land claim "Cerejos," originally on file in your office, and since, on application of the attorney for parties interested, transmitted to Denver, Colorado, in which Territory the aforesaid claim is situated.

I am respectfully your obedient servant,
Jos. S. Wilson,
Commissioner.

Department of the Interior,
General Land office,
July 8, 1867.

John A. Clark, Esq., Surveyor General,
Santa Fé, New Mexico.

Sir:~ Your letter of the 11th ultimo has been received with a contract entered into with deputy Surveyor Isaac L. Stucks for the survey of exterior and subdivision lines, together with a diagram of townships containing settlements and mines. The contract, being within the means appropriated for surveys in New Mexico and otherwise unobjectionable, has this day been approved and placed on the files of this office.

I am respectfully your obt. servant,
Jos. S. Wilson, Commissioner.

Department of the Interior, General Land office,
July 10, 1867

John A. Clark, Esq., U. S. Surveyor General,
Santa Fe, New Mexico.

Sir:~ I have to request that you will examine carefully the archives and report at as early a period as possible, what is found therein relating to the "Pueblo Indians," their numbers, names, the grants made to them, by whom and when, the area and locus of each, the area to be estimated when not definitely ascertained, and any other information that may be suggested in regard to the Pueblos of New Mexico and Arizona, together with such data as may be at your command respecting the wild Indians. As the information asked for is intended to be used in the preparation of the annual report, it is requested that your report may be here by the first of September, and that it may be full on the points indicated.

Very respectfully your obt. servant,
Jos. S. Wilson, Commissioner.

Department of the Interior, General Land office,
July 31, 1867.

John A. Clark, Surveyor General,
Santa Fe, New Mexico.

Sir:~ Upon the receipt hereof you are requested to prepare and transmit to this office a tabular statement of the Pueblos and private grants in New Mexico, showing the designation by number or letter, name, confirmee, by what law confirmed and area.

You will also place upon the new map of New Mexico – to be prepared under instructions from this office dated 25th instant – a table showing the name, area, and date of confirmation of said grants so far as surveyed and laid down thereon.

Very respectfully, &c,
Jos. S. Wilson,
Commissioner.

Santa Fe, N. Mx.
September 7 1867

Hon. J. A. Clark
Surveyor General Ter Mexico
Santa Fe N Mx

Sir

We for ourselves and associates do hereby make application for the survey of the mine or vein known as the Santa Rita del Cobre situated in T. 17 South of R N 12 West in Doña Ana County Territory of New Mexico in accordance with the provisions of act. Cong. approved July 26. 1866.

Your obt servts
Robt B. Mitchell
H. W. Emory
Wm Pratt
for themselves and
Santa Rita Mining Association

Department of the Interior,
General Land-office,
August 23, 1867.

John A. Clark, Esq., Surveyor General,
Santa Fé, New Mexico.

Sir.— I am in receipt of yours of the 16th ult. transmitting the account of Hiram C. Fellows, deputy surveyor, for surveys executed under his contract of October 9, 1866, amounting to $2268.07, from which amount you deduct $54 to cover the expense of examining and marking bearing or witness trees to corners in said survey, leaving a balance of $2214.07. In reply I have to state that the foregoing account has been examined, and the amount deducted as recommended, and was this day reported for payment, with request that draft be sent to Santa Fé addressed to the care of James L. Johnson

I am, Sir, very respectfully, your obt. servant
Jos. S. Wilson, Commissioner.

Department of the Interior,
General Land-office,
August 27, 1867.

John A. Clark, Esq., U. S. Surveyor General,
Santa Fe, New Mexico.

Sir.— Your annual report dated 19th ult. has been received, and a copy of that portion relating to the tract of 15 miles square selected as a Reservation for the Gila Apache Indians has been sent to the Commissioner of Indian Affairs.

Very respectfully your obt. servant,
Jos. S. Wilson, Commissioner.

Department of the Interior
Genl Land Office
October 11. 1867

John A. Clark Esq.
Surveyor Genl
Santa Fe New Mex.

Sir

I am in receipt of your letter of the 25th ult. stating that you had leased a building for an office at a rate of four hundred dollars per annum payable quarterly.

In reply I have to state that relying upon your judgment in the premises your action is hereby approved

I am very respectfully
your obt Servt
Jos S. Wilson
Commissioner.

Santa Fe N. M.
26th December 1867

John A. Clark Esq.
Surveyor Genl of New Mexico
Sir

My contract dated June 11. 1867, includes Township 15 S. R 5 E. and provides that if I found it necessary to include the settlements on the Rio Polemos, to survey Township 15 S. R 6 E. or so much of that last mentioned township as might be necessary

Upon arriving at the first mentioned township I found no settlement in it or the one adjoining on the East, and that the stream running through the second is not the Rio Polemos but is called by the people in the vicinity the Rio Perchas and the branch from the South the Rio de las Animas; and as I learn from repeated conversations with you that you are desirous of having the survey made where settlements existed, I concluded it best to survey Township 14 S. Ranges 4 and 5 E. through which the Rio Polemos runs, and along which the land is cultivated for a distance of about six miles from its entrance into the Rio Grande. I could see no immediate necessity for surveying the Township embraced in my contract, which I did consider it necessary to subdivide Township 14 S. Ranges 4 & 5 E.

there are some 250 persons living within the boundaries of fractional Township 14 S. Range 4. W, in the Plazas of Rio Poloma, who cultivate the lands on the Rio Grande and along the Rio Poloma as above

These are my arrangements for marking the survey as returned, and I hope it will receive your approval as well as that of the Department

Respectfully your obedient servant
Joan C. Stinson
Deputy Surveyor.

Department of the Interior
General Land Office
December 30 1867

John A. Clark Esq.
Surveyor General
Santa Fe New Mex.

Sir

I am in receipt of your letter of the 10th inst transmitting Map of New Mexico prepared in accordance with instructions of the 25th July last.

The Map having arrived in time, and proving quite satisfactory, the same has been substituted for the map heretofore with your letter of the 9th July, which accompanied our Annual Report. submitted on the 15th October

Very respectfully &
Jos. A. Wilson
Commissioner

Hd. Qrs. Mil. Div. Missouri
Engineer Office
St. Louis Mo. Dec 30. 1867.

Surveyor General of New Mexico
Santa Fe New Mexico

Sir

Will you please send for the use of Genl. Sherman a copy of your latest map of New Mexico and tracings of all surveys made since that date. I will pay all expenses that may be incurred in making the tracings

Very respectfully, your obedient Servant
Wm E. Merrill
Maj. Engrs. Brvt Col.

Department of the Interior
General Land Office
December 28. 1867.

Sir

At the instance of Hon E. B. Washburne you are hereby granted leave of absence from your Office for thirty days dating from February 1st 1868, at the expiration of which period an extension of the leave may be given should it be then practicable

Very respectfully your Obt Servant
Jos. S. Wilson
Commissioner

John A. Clark Esq
Surveyor General
Santa Fe New Mexico

Department of the Interior
General Land Office,
17th January, 1868.

Sir

I am in receipt of your letter of the 31st ult. in regard to the relinquishment of Isaac C. Stuck D.S. from his obligation to Survey T. 15 S. R. 5 W. under his contract dated June 11, 1867. and the Survey of T. 14 S. R. 5 W. and Fr. T. 14 S. R. 4 W. in New Mexico.

In reply I have to state that as you are satisfied the deputy complied with the intent of the Contract in Surveying T. 14 S. R. 5 W. and Fr. T. 14 S. R. 4 W. instead of T. 15 S. R. 5 W. mentioned in his Contract you are hereby authorized to enter into Contract (nunc pro tunc) with Mr. Stuck for the Survey of T. 14 S. R. 5 W. and Fr. T. 14 S. R. 4 W. and to release the deputy from his obligation to Survey T. 15 S. R. 5 W. his bondsmen on the present contract consenting to the relinquishment.

I am
Very Respectfully
Your obt. Servt.
Jos. S. Wilson
Commissioner

Solon R. Clark Esq
Surveyor General
New Mexico

Denver, Colorado Ter. 25th 1867

Sir

Will you have the kindness to inform us if the 2nd & 3rd Sections of the act of Congress establishing the office of Surveyor Genl. of New Mexico are still in force in your Territory. And if so whether in your opinion persons now residing in this Territory but who at the date of the passage of said act (July 22 1854) were in N. Mexico. that is, persons who have continued to reside in that portion of New Mexico, that was made apart of Colorado Territory in 1861, would now upon survey of the lands be entitled to the benefits of said act.

We have the honor to remain
Your Obedt Servts.
Witter & Clements

Surveyor General
New Mexico

Surveyor Generals Office,
Denver C. T. Nov. 8th 1867

John A. Clark Esq.
Surveyor-General,
Santa Fe, N. Mex.

Sir,

I herewith enclose a copy of my special instructions to Deputy Surveyors which have been approved by the Commissioner, as requested in your letter of Oct. 30th 1867

Very Respectfully
Your Obt. Servt.
W. H. Lessig
Surveyor General of
Colorado & Utah

Department of the Interior,
General Land Office, Jany. 24th 1868.

John A. Clark,
Surveyor-Genl, Santa Fe N. Mex.

Sir

The Salary and incidental expenses accounts of your office for the quarter ending Dec. 31st 1867 rec'd with letter of the 2nd inst. were this day reported to the Treasury for payment with request that drafts be sent as directed in the several accounts from funds appropriation authorized by law for the payment of a Translator (See letter of instructions from this office

dated Febt. 11 1866, you are directed in the future to render the account of Wk. Miller as Clerk payable out of the regular appropriation for Compensation of Clerks.

Very Respy Your obdt. Servt.
Jos. S. Wilson
Commissioner

Santa Fe, New Mexico,
January 28, 1868.

John A Clark Esq.
Sur. Genl. N. M.

Sir,

I claim payment for the line between Sec. 6 and 7 of Township 14 South Range 5 West upon the ground that the Manual of Instructions to Deputy Surveyors at page 24 says explicitly that "the east and west section lines except those terminating on the west boundary of the township are to be within one hundred links of Eighty chains in length and the north and South boundaries of any one section except in the extreme western tier are to be within one hundred links of equal length. That preceding it says, Every north and south section line except those terminating on the north boundary of the township is to be Eighty chains in length" not one word is here given by which it could be construed that the north and south boundaries of a section in the western tier shall be within one hundred links of equal length, nor is there any expression in the law above quoted by which it can be affirmed that the east & west boundaries of a section in the northern tier should be within one hundred links of equal length. The section line between Sects 1 and 2 of this same township is 81,50 Chains, whilst the east boundary of Sect 1 is but 80 Chains thus making a difference of 150 links, and which according to your construction of the law is 50 links out of limits, if you suspend the line between Sects. 6 and 7 why not apply the same rule to the line dividing Sects 1 and 2.

The law is very plain, so much so that it seems impossible that there should be a disagreement as to its meaning.

I consider it a very wise provision that the lines terminating on the north and west boundary of township are not limited in length if they were the law governing the length of East & west lines in the interior of a township could in practice have no effect for it says that they "shall be within 100 links of 80 chains in length" that is that the lines between Sects 1 & 12 — 2 & 11 — 3 & 10 — 4 & 9 and 5 & 8 may be 80.50 chains, and still be within the meaning of the law. This 5 lines 79.50 Chains = 4 miles 75 Chains and 5 links leaving

the line between Sects 6 & 7 supposing the north and south boundaries of the township to be 6 miles in length 4.95 chains too long, consequently leaving the line between Sects 6 & 7 according to your construction nearly 4 Chains out of limits and yet these same interior section lines are in length within the limits of the law. Now if you are correct the deputy surveyor must change the position of at least 3 of the section corners and the ¼ section corner both north and south of the East & West section lines before his work can receive your approval, in a prairie Country with no little additional expense comply with your views but when there is timber and lines blazed, it might to say the least cause some trouble hereafter to those settling upon the land.

I claim pay for reestablishing the line between T 13 & 15 S. R. 4 E. along the north boundary of Sec 3 & 4 upon the ground that the corner in at least one instance had been removed away, and the others could not be found and that it was impossible to complete the subdivision of the township without a resurvey of the said line on the north boundary of said Sections as my field notes will plainly show. It was perhaps my duty under my contract to Survey Township 14 S. R 5 W. but there were no settlements within its limits and I consider it my duty as a deputy surveyor to make the surveys where they were required and where I had every reason to believe you desired them executed.

Yours very Respectfully,
S. E. Stuck.

Department of the Interior,
General Land Office.
January 28. 1868.

John A. Clark Esq:
Surveyor Genl, Santa Fé, N. Mex.
Sir,

Your request that the leave of absence of 30 days granted you by our letter of the 28 ult. may date from the day of your departure from Santa Fé, instead of from the 1st February as requested is

Very respectfully,
Your obt Servt.
Jos. M. Wilson
Commissioner

Department of the Interior,
General Land Office,
February 11th 1868.

Sir,

In reply to your letter of the 9th ultimo transmitting the returns of surveys executed by Robert B. Willison under his contract of June 3 1867 together with Mr. Willison's account therefor and expressing dissatisfaction as to the correctness of certain lines in Tps. 9 & 10 S. R. 16 E., the plats of which Townships were transmitted from your office incomplete. I have to say that if you were dissatisfied with the surveys of the said Townships you should have retained the plats and field notes of the same, together with the Deputy's account therefor until such time as you could properly certify to the correctness of the work executed and forward returns and account complete. The diagrams of Tps 9 & 10 S. R. 16 E. are therefore returned to you herewith for completion and the survey of these Townships deducted from Mr. Willison's account leaving a balance of $2404.03 which was this day reported to the Treasury for payment with the request that a draft on New York for the amount be sent to payee at Santa Fe New Mexico, as directed in the account. A certified account for the two remaining Townships should be transmitted with the completed diagrams of the same whenever your objection to the survey thereof shall have been removed. In this connection I have to request that your Draughtsman refer to the Specimen Subdivisional diagram "B" accompanying our Biennial of Surveying Instructions, whereon a blank is left for the history of the survey of the Township lines, which history should always accompany the plat of the subdivisional survey together with a full description of any previous surveys which may have been executed within or upon the limits of the Township.

I would also refer you to the third paragraph on page 24 of the Surveying Instructions for certain exceptions to the rule referred to in your letter of the 9th ultimo, requiring East and West Section lines to be within one hundred links of equal length between section corners, such exceptions being in favor of those lines dividing sections on the western tier of a Township.

Very respectfully
Your Obt. Servant
Jos. S. Wilson
Commissioner

John A. Clark Esq.
Surveyor General.
Santa Fe, N. M.

Department of the Interior,
General Land Office,
February 15th 1868.

John A. Clark Esq.
Surveyor General
Santa Fe N. Mex.

Sir,

I am in receipt of your letter of the 1st inst. forwarding Contract & Bond No 33 made with R. B. Willison, D. S. dated February 1st 1868. and creating a surveying liability of $4160.00. The above mentioned Contract having been found unobjectionable the same has this day been approved and placed on the files of this office

Very respectfully
Your Obt Servt.
Jos. S. Wilson
Commissioner

Department of the Interior,
General Land Office,
February 19th 1868.

Sir

In a letter from Isaac C. Stuck Deputy Surveyor in your district bearing date of the 4th inst is propounded the following question which Mr. Stuck desires answered for the information of your office; viz: "Whether the Deputy Surveyor is entitled to receive pay for what we term closings on parallels, that is the distance from where section lines intersect parallel lines to the nearest corner on a parallel"

In reply I have to say that all connection lines on parallels are chargable at the rate allowed for section lines in the district in which they may be run, especial direction for the measurement of such connection lines being given in the 1st paragraph on page 25 of the "Manual of Surveying Instructions"

Very respectfully,
Your Obt. Servt.
Jos. S. Wilson.
Commissioner.

John A. Clark Esq.
Surveyor Genl.
Santa Fe, New Mex.

Department of the Interior,
General Land Office,
February 19th 1868

Sir

I am reply to your letter of the 23rd ultimo stating that the Surveyor General of California had not yet receipted to you for the Arizona Archives transmitted by you to his office on the 28th May and 9th July 1867 as per our instructions of the 11th September 1866 notwithstanding that you had repeatedly urged that he would either do so or inform you of their non receipt.

I have to inform you that the Surveyor General at San Francisco has this day been requested to comply with your just demand without further delay.

Very respectfully
Your Obt Servt
Jos S Wilson
Commissioner

John A. Clark Esq.
Surveyor General,
Santa Fe, N.M.

Department of the Interior,
General Land Office,
February 25th 1868

Sir

I am reply to your letter of the 1st instant enclosing a copy of a communication from Isaac C. Stark Deputy Surveyor relative to the confirmement of section lines on the northern and western line of townships within certain limits. I have to refer you to the last paragraph of our letter of the 11th inst relative to an analagous case

Very respectfully
Your Obt Servt
Jos S Wilson
Commissioner

John A. Clark Esq.
Surveyor General,
Santa Fe, New Mexico.

Department of the Interior,
General Land Office,
March 17th 1868

Sir

Upon examination of the account of Isaac C. Slack Deputy Surveyor, for $4633.98, received with your letter of the 1st ultimo it was found that credit had not been given for closing on 3rd Cor. Line No. in the subdivision of Tp. 16 S.R. 13 E. amounting to 7 chs. 73 lks at $10 per mile or $10.97 which sum was added to the account and the total viz: $4644.95 this day reported to the Treasury for payment with the request that draft on New York be sent to payee at Santa Fe, New Mexico, as directed in the account. Kinsticks account for $786.80 for survey authorized per instructions from this office of January 17 1868 and covered by "Deuze pro tune" Contract No. 82 also received with your letter of the 1st ultimo, was this day reported to the Treasury for payment with the request that draft be sent as directed on the account.

Very respectfully
Your Obt Servt
Jos Wilson
Commissioner

E. M. McClanahan Esq.
Surveyor General,
Santa Fe,

---

Fort Bayard, New Mexico,
April 14. 1868

Genera Clark
Surveyor Genl. Territ.
Genera

I have the honor to request information as to what process I must go through with and what evidence furnish to obtain a warrant-title or patent for a ranch of 160 acres known as White Water Ranch located and pre-empted by Thomas Farmer on or 13th 1866, by which house and stables were constructed and fenced enclosing 160 acres, said Farmer transferred by Sale said Ranch to J.F. Wilde February 8th 1867 by which improvements were continued and said Wilde transferred by sale the said Ranch to me April 13th inst. said Ranch or homestead is located on Whitewater Creek about two miles N.E. of Fort Bayard and about 3/4 of a mile N.E. of the house or ranch of J.F. Wilde and bounded as follows. At the point of beginning on the N.W. corner by a large stone from there running E. 2000 lks to a stake from there 2000 lks

S.E. (crossing said White Water Stream) to a stake and thence S.W. 2640 ft to a blazed Cedar tree and from thence 2640 N.W. to the place of beginning. By furnishing the requested information you will greatly oblige

Your Obedient Servant
B.M. Custer
Lieut. U.S.A.

May 16/68 L. 507. Circular.

Department of the Interior,
General Land Office,
July 20th 1868.

Sir,

Referring to our letter of Instructions of 29th April last in which you are informed that a few copies of the Map of New Mexico accompanying our Annual Report for 1867 would be furnished you, I have to state that no authority has as yet been given by Congress for the publication of the Report and accompanying Maps. In consequence thereof you are instructed to prepare a manuscript diagram showing the operation of the Surveying Service to the end of the fiscal year and transmit the same to this office not later than the first day of October next. The receipt of this you will please acknowledge

Very respectfully
Jos S. Wilson
Commissioner

John A. Clark Esq.
Surveyor General,
Santa Fe, N. M..

Department of the Interior,
General Land Office,
July 20th 1868.

Sir.

I have to acknowledge the receipt of your letter of the 25th ultimo, transmitting Map and Report relative to barren lands in New Mexico for which accept the thanks of this Office.

Very respectfully
Your Obt. Servt.
Jos S Wilson,
Commissioner.

John A. Clark Esq
Surveyor General,
Santa Fe, N. M.

Department of the Interior,
General Land Office,
August 10th 1868.

Sir,

Referring to your letter of the 27th ultimo. I have to request that in all cases where full returns of the surveys are not transmitted with accounts of Deputy Surveyor the reason therefore may be stated in the letter of transmission and that where part or all of the returns have previously been sent the date of the letter accompanying them may be mentioned for the convenience of this office in adjustment of the accounts

Very respectfully,
Your Obt. Servt.,
Jos. S. Wilson,
Commissioner.

To the U. S. General Surveyor
Santa Fe N. Mx.

Department of the Interior,
General Land Office,
August 10th 1868.

Sir.

In reply to your letter of the 29th ultimo. in which request is made that this office instruct the Surveyor General of California to acknowledge the receipt of the Arizona archives forwarded by you on the 28th May and 9th July 1867 under instructions from this Office. I have to state that I have this day instructed that office to pay immediate attention to the case, and to advise this office of the action taken

Very respectfully
Your Obdt Servant
Jos. S. Wilson
Commissioner

U. S. Surveyor General
Santa Fe N. Mx.

47 c

Department of the Interior,
General Land Office.
September 12th 1868.

Sir.

As you have been commissioned as Surveyor General of New Mexico and taken possession of the Surveying archives appertaining to the Office of said Surveyor General at Santa Fe, I have now to communicate the following instructions for your government.

1st.- By the Act of Congress entitled "An Act making appropriations for sundry civil expenses of the government for the year ending "June thirty, Eighteen hundred and Sixty nine and for other purposes approved July 20, 1868, there are appropriated" "For Surveying the public Lands in New Mexico, at rates not exceeding "fifteen dollars per lineal mile for standard lines, twelve dollars for township and ten dollars for section lines, Five thousand "dollars." In addition to this sum, the books of this Office show an unexpended balance of $1,583.79 of former appropriations for the same object, which increases the sum available for Surveys in your District to $6583.79. All surveying Contracts entered into by your predecessor in Office have been closed, leaving no liability on that account. You are hereby directed to make arrangements for letting additional Surveying Contracts subject to the following conditions: You will employ only such deputies as are of established reputation and at the rates at which contracts can be made with competent and trustworthy men, the aforesaid legal rates being a maximum for which are not to be stipulated in the contracts unless work cannot be secured for less. You will select as the theatre of surveying operations those localities where the public interest may be best subserved including actual settlements. And in transmitting contracts here for final approval, you will state specially the facts which induced the selection of the locality for survey included in the contract and whether the work is to be performed for cash or scrip deposit by individuals or out of the appropriation by Congress. You will take care to keep contracts within the means appropriated by law as the rules of the Department peremptorily interdict the incurring of a debt in excess beyond the amount appropriated by law. The original and transcript field notes should be prepared in accordance with rules governing the keeping of the field notes made pursuant to your surveying instructions. All communications addressed to this office with their enclosures, should be prepared neatly. In rendering accounts for surveys it should be stated in how

account whether the surveys are to be paid for out of a Special deposit or the appropriation.

2nd. The books of this Office show a balance of $2,316.38. of former appropriation for rent of Office and other incidental expenses as applicable for that purpose on the 30th June 1868.

You will exercise rigid economy in all your expenditures conforming them to the indispensable requirements of the service.

3rd. The unexpended balance of former appropriation applicable for clerk hire in your district on the 30th June 1868, as shown by the books of this Office, is $4,062,35 which is much more than sufficient to defray the expense of clerk hire during the present fiscal year.

4th. In this connection I have to inform you that by an Act entitled "An Act making appropriations for the Legislative, "Executive and Judicial expenses of the Government for the year "ending the thirtieth June eighteen hundred and sixty nine" "approved July 27 1868 there is appropriated "for Surveyor "General of New Mexico five thousand dollars."

The surveying service during progressed during the last fiscal year in New Mexico, to a much greater extent than actual appropriations to have covered, & unless having been disposed of in that Surveyors District you will not consider yourself in duty bound to expend the money placed under your control to that purpose, but on the contrary you will confine yourself to such surveys as will be called for by actual settlers.

You will familiarize yourself with existing instructions in regard to your duties as Surveyor General as far as they are consistent with the law. The receipt of these instructions you are requested to acknowledge.

Very respectfully
Your Obdt. Svt.
Jos. C. Wilson
Commissioner

Benjamin C. Cutler Esq.
Surveyor General.
Santa Fe,
New Mexico.

Department of the Interior,
General Land Office,
Feby 24 1868.

Sir -

In reply to your letter of the 21st inst. relative to the removal of your Office to a more convenient location, I have to state, that if in the judgment of the rest of Office will be at a less rate, and of equal security to remain to Seattle no objection will be interposed by this Office at the expiration of present lease on the 1st proximo but would the future interest is to be subserved in the particulars indicated, the assent to change is not given.

By this Office

Very respectfully Your Obdt Svt
Jos. S. Wilson
Commissioner

Benjamin C. Cutler Esq
Register General
Land Office
Olympia W.T.

Department of the Interior
General Land Office
October 5th 1868

Sir:

I transmit herewith copies of letters sent over of the President under the 28th August last according for Indians for General Land Offices, identified the tract of land reserved for Indian purposes in New Mexico Territory, which are intended to cause the same to be designated on the official diagram of New Mexico and withdraw the tract of public lands are reserved in that locality. Relative the same in the letter transmitted of said letter.

The receipt of this you will please acknowledge.

Very respectfully Your Obt Servant
Wm. Wilson
Commissioner

Benjamin C. Cutler Esq
Register General
Land Office
Olympia W.T.

Department of the Interior
General Land Office
October 5th 1868

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Wm. Wilson
Commissioner

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Land Office
Olympia W.T.

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General Land Office
October 5th 1868

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Very respectfully Your Obt Servant
Wm. Wilson
Commissioner

Benjamin C. Cutler Esq
Register General
Land Office
Olympia W.T.

a stone in the front pillar of the Governor's house. From this point the line runs N 5° E. for 277 feet, thence E. 5° 42' S. for 345 feet, thence N. 6° 45' E. for 253 ft. 6 in. thence N. 5° E. for 397 feet 6 in. thence N. 7° 44' W. for 975 feet 6 in. thence S. for 411 feet, thence S. 4° 30' E. for 567 ft. 7. 2 inches, thence E 5° S for 500 feet to the initial point. The points of the compass mentioned are true points, not magnetic. The variation of the compass when the survey was made in April 1868 was 13° 40' East. The reservation contains 17 Acres, 3425 square yards 2.656 square feet.

Henry Jackson
1st Lieut 7 U.S. Cav.
Actg Chief Eng.
Dept of the Mo.

Headquarters Department of the Missouri,
Engineers Office, Fort Leavenworth Kansas,
22d July 1868.

Bvt Brig. Gen. Chauncey McKeever
Assistant Adjutant General.
Department of the Missouri.
General:-

I have the honor to transmit herewith a description of the Military reserve at Fort Marcy, New Mexico.

I am Sir very respectfully,
Your Obedient Servant
Henry Jackson
1st Lieut 7th U.S. Cav.
Acting Chief Eng.
Dept of the Mo.

Headquarters Department of the Mo.
Fort Leavenworth Kansas,
July 29, 1868.

Approved and respectfully returned to the Adjutant General of the Army in compliance with instructions in a letter from the Adjutant Generals Office dated June 6, 1868.

P. H. Sheridan
Major-General U.S.A.
Commanding

Adjutant-General's Office
August 7, 1868.

Case of Survey of Military Reservation at Fort Marcy, New Mexico.

By letter of June 6, 1868 from this office, the Commanding General, Department of the Missouri, was furnished with a list and directed to cause surveys of the Military Reservations located in his Department, which had not been declared where the title is still in the United States, and forwarded with report without delay with a view to having them properly declared should it be deemed advisable to retain them for Military as directed by the General of the Army. 1st Lieutenant Henry Jackson 7th Cavalry, Acting Chief Engineer Department of the Missouri; now forwards a description of the Military reserve at Fort Marcy, Santa Fe, New Mexico, and states that this reservation contains 17 acres 3,425 Square Yards, and 2,656 square feet. July 29, 1868 as approved and forwarded to this Office in compliance with the instructions contained in the above mentioned letter, by General Sheridan Commanding Department of the Missouri,

Adjutant Generals Office,
August 7. 1868

Respectfully submitted to the Secretary of War.
E. D. Townsend
Asst. Adjt. Genl.

Approved and respectfully submitted to the action of the President
J. M. Schofield
Secretary of War

Augt 26, 1868

The reservation at Fort Marcy, New Mexico, as described in the accompanying papers and delineated in the accompanying map is made for Military purposes and the Secretary of the Interior, will cause the same to be noted in the records of the General Land Office.

Andrew Johnson.

Augt 28. 1868.

Department of the Interior
Washington D.C. 21 Septr. 1868

Sir:-

I transmit herewith, for your appropriate action the President's Order of the 28th ultimo directing certain lands in the Territory of New Mexico to be reserved for a Military post to be known as Fort Marcy.

I am, Sir. Very respectfully.
Your Obdt. Servant.
W. T. Otto.
Acting Secretary.

Hon. Jos. S. Wilson,
Commsr. of Gen. Land Office.

Department of the Interior.
General Land Office,
October 7th 1868.

Sir:-

Inclosed herewith I transmit copies of diagrams, field notes, and letter dated the 17th Sept. last from the Secretary of War approving of the diminution of the Military Reservation, at Fort Union, New Mexico, and also of the establishment of a separate Timber reserve on a portion of said Military reservation. The reservations being located on unsurveyed land. You are requested upon the receipt of this to designate the same upon the Official diagram of New Mexico, and whenever the lines of public surveys are extended in that locality, to close the same upon the exterior boundaries of said reserves. The receipt of this you will please acknowledge.

Very respectfully Your Obdt. Servt,
Jos. S. Wilson,
Commissioner.

Benjamin C Cutler Esq.
Surveyor-General,
Santa Fé, New Mexico.

War Department,
Adjutant Generals Office,
Washington September 17, 1868.

To the
Commissioner of the General Land Office,
Department of the Interior,
Washington D.C.

Sir:-

I am directed by the Secretary of War to inform you that the diminution of the Military Reserve at Fort Union, New Mexico, and the establishment of a separate timber reserve on a portion of said reservation as delineated on the accompanying Maps, and described in the accompanying notes of the surveys made by S Lambert under direction of Brevet Colonel Ludington Chief Quartermaster District of New Mexico, has been approved, and to transmit the maps and notes of surveys in question to your Office.

Very respectfully Your Obedient Servant
E. D. Keyes.
Assistant Adjutant General.

Copy.

Notes of the boundaries of Fort Union Timber Reservation according the Surveyor's Survey Marked.

The Initial Point is a pile of stones on the North Boundary of the Reservation known of Fort Union four and three quarter miles North East of the centre flag staff at the side of the old flagstaff at the Arsenal.

The variation of the Compass at the time of beginning in March 1868 when the survey was made was 14° 20' East.

The marks of axes or other sharp edge of the timber-being the boundary of the reservation all around the Mountains.

The Reservation contains fifty three square miles of timber.

The courses and distances at the edge of the timber all around the Mountains are as follows: (The miles are omitted)

From the initial point (pile of stones) S. 8¼° W. 100 feet— S. 18° E 500 feet— S. 14° W 200 feet— S. 46½° E. 1450 feet— S. 6¼° W 1500 feet; S 5½° W 2100 feet— S 67¾ E 500 feet— S. 7° E. 2400 feet— S ½ W. 300 feet— S 12½ E 5000 feet— S 61¾ E 1300 feet— S 25½ W. 280 feet— S 77½ E. 260 feet— S 37½ E 800 feet— S 10¾ W 900 feet— S 44 E. 600 feet— S 53½ E 1700 feet— S 78¾ E 600 feet S. 62¾ E 500 feet— S 66¾ E. 400 feet— S 17¾ E 500 feet— S 57¾ E 950 feet S. 2 E 1200 feet— S 75¾ E. 980 feet— S 38¾ E. 3408 feet— S 13½ W 2442 feet S. 65½ E. 1386 feet— S. 46¾ E 855 feet— S. 7° E. 380 feet— S 57° 30' E. 1170 feet— S 6¾ E 3036 feet— S 26¾ E. 330 feet— S. 64½ E. 660 feet— S 6½ E. 594 feet— S 12½ E 990 feet— S 2¾ E 528 feet— S 12½ W 2442 feet S 8¾ W. 368 feet— S 6½ W 1122 feet— S 28½ E. 1584 feet— S. 52 E. 462 feet— S 2½ E. 2046 feet— S. 33° E 3702 feet— S. 68¾ E. 2178 feet S 76¼ E 3564 feet— S. 85° E. 1254 feet— S. 78 E. 3564 feet— S 61 E. 1518 feet S 74½ E. 1980 feet— S 75¾ E. 660 feet— S. ¾ E. 2046 feet— S 72½ E 3300 feet N. 31½ W. 2662 feet— S 75½ W. 1518 feet— S 30° E 900 feet— S 64½ W 3402 feet S 28½ E. 990 feet— S 62½ E. 528 feet— S 5° E 264 feet— S 33¾ E. 1320 feet S 83¾ E 792 feet— S 5° E. 300 feet— S 31° W 2112 feet— S 6¾ E. 132 feet S 25¾ W. 1056 feet— S 30½ E. 990 feet— S 20 W 330 feet— S 38¾ E. 3498 feet S 30° W. 1254 feet— S 45½ E. 1980 feet— S 37½ E. 1254 feet— S 42¾ W 1254 feet S 71 W. 66 feet— (Town of Bernalillo — Rio Grande) S 35¼ W. 2046 feet— S 54° W. 2046 feet— S 50 W. 330 feet— S 62¾ W. 792 feet— S 65¾ W. 990 feet S 75¾ W. 1518 feet— S 86 W. 1133⅓ feet— S 84½ W. 1320 feet— S 71 W. 25¼ feet S 74 W. 132 feet— S 65¾ W. 5346 feet— S 41 W. 132 feet— S 78½ W. 1320 feet S 5¾ W. 726 feet— S 65½ W. 528 feet— S 79¾ W. 660 feet— S 60¾ W. 1848 feet S 38 W. 858 feet— S 30½ E. 759 feet— S 43½ W. 660 feet— S 55½ W. 198 feet S 7½ W. 858 feet— S 56 W. 132 feet— S 3½ W. 2574 feet— S 6 W. 858 feet S. 3 W. 2046 feet— S 5½ W. 1386 feet— S 42¾ W. 2607⅓ feet— S 60 W. 2310 feet S 49½ W. 504 feet— S 2° W. 3300 feet— S 9° W. 1782 feet— S 11¾ W. 1782 feet S 30 W. 1980 feet— S 37° W. 316 feet— S 1¾ E. 3795 feet— S 5½ W 528 feet S 2½ W. 528 feet— S 8° E. 792 feet— S 9° W. 2112 feet— S 7¾ E. 2970 feet

N. 12½ E. 19 7/100 feet to initial point.

The general dimensions of the Sierra Gallinas or Turkey Mountains are as follows: North (12) twelve Miles— East & West (9½) nine and one half miles.

I certify that the above is a correct extract copy from original Field notes of M. I. Lambert, Surveyor.

M. I. Ludington
Bvt Lt Col & 2 Lt. U.S.A.
Chief Quartermaster.

Chief Quartermasters Office,
District of New Mexico,
Santa Fe, N. M. May 11, 1868.

Copy.

Notes of the Boundary of Fort Union's diminished Reservation

"Initial Point is a post four miles due North from a centre stake at the site of the old flag staff at the Arsenal thence due East (5280) fifteen thousand feet to line of stone at edge of timber at foot of the Sierra Gallinas or Turkey Mountains, thence with Magnetic Courses as follows:— N. 8¼° W. 1100 feet— N. 18° E. 500 feet— N. 14° W. 200 feet— N. 43½° E. 1250 feet— N. 6¼ W. 1500 feet— N. 5½ W. 2100 feet— N. 67¾ E. 500 feet— N. 47¼ E. 2400 feet— N. 6½ W. 300 feet— N. 12½ E. 5000 feet— N. 61¾ E. 1300 feet— N. 24½ W. 2800 feet— N. 44¼ E. 350 feet— N. 37½ E. 800 feet— N. 16¾ W. 900 feet— N. 60¼ E. 1400 feet— N. 17¾ E. 500 feet— N. 57¾ E. 950 feet— N. 2 E. 1200 feet N. 75½ E. 980 feet— thence due South 21252 feet to post on S. E. corner thence due West 12.804 feet to post on South end of Laguna. thence due West 0610 feet to post on West edge of timber and bluffs. thence with Magnetic Courses N. 73½ W. 1986 feet along edge of timber. thence N. 42½ W. 3795 feet along edge of timber. thence N. 30° W. 3696 feet from point of timber to post on Road. thence N. 44 W. 2013 feet to point of timber. thence N. 41 W. 4389 feet to point of timber. thence N. 79 W. 3036 feet to point of timber. thence N. 81 W. 2667 feet to point of timber. thence S. 83½ W. 2195 feet to point of timber. thence S. 76¼ W. 3696 feet to post on South West Corner. thence from post on South West Corner 24816 feet to place and Mound on South East Corner thence four miles due East to place of beginning— The survey of the Reservation in March 1868 when the lines were made are by compass on each corner and on roads and other conspicuous places, a wooden post are branded with boards fastened by nails bearing U.S. Miles, branded on both sides.

The Reservation contains fifty-one square miles more or less— The above copy from original field notes

M. I. Ludington
Bvt Lt Col. U.S.A. Chief Quartermaster.

Chief Quartermasters Office District of New Mexico. Santa Fe N.M. May 11, 1868

470

Department of the Interior
General Land Office October 20th 1868

David S. Miller Esq.
Chief Clerk, Sur Gens Office,
Santa Fe. New Mexico

Sir

Referring to my letter of the 7th inst to the Surveyor-General in regard to the Fort Union Military Reservation I transmit herewith copey of the Presidents Order dated the 9th inst reserving public lands for Military reserve at Fort Union and a seperate timber reserve for that post. You are requested to file the order with the papers sent to the Surveyor General as aforesaid.

I am very respectfully Your Obdt Servt
Jos S. Wilson
Commissioner

(Copy)

Adjutant-General's Office
October 3, 1868.

Respectfully returned to the Secretary of War with the recommendation that the reservation and the seperate timber reserve at Fort Union N.M. as described by the accompanying plat and notes of survey made by J. Lambert, under the direction of Colonel Ludington, be declared as such by the President for Military purposes

E. D. Townsend
Asst Adjt. Genl.

Approved and respectfully submitted for the action of the President

J. M. Schofield,
Secretary of War.

War Dept.
Oct 7 1868.

The reservation and seperate timber reserve at Fort Union, New Mexico described in the accompanying plats and notes of survey made by J. Lambert, under direction of Bvt. Col. Ludington, Quartermaster U.S. Army is made for military purposes and the Secretary of the Interior will cause the same to be noted on the records of the General Land Office.

Andrew Johnson.

Oct 9, 1868.

Department of the Missouri,
Fort Leavenworth, Kansas,
October 26, 1868.

The Surveyor General,
Territory of New Mexico,
Santa Fe, N. M.

Sir. I have the honor to transmit herewith a copy of the Map of the Reservation of Fort Union, N. M.; as approved by the Secretary of War, for your information.

I am, Sir, Very respectfully,
Your Obedient Servant,
Chauncey McKeever
Assistant Adjutant General,
Brevet Brigadier General, U.S.A.

Department of the Interior,
General Land Office,
November 6th 1868.

Sir:

The account of C. B. Magruder, Clerk, for $42.39 received with letter from the late Surveyor General dated September 13, 1868, was this day reported to the Treasury for payment with the request that draft be sent payee in your care as directed in the account.

Very respectfully, Your Obt. Servant
Jos. S. Wilson,
Commissioner.

David A. Miller Esq.
Chief Clerk, Surveyor Gen. Office,
Santa Fe New Mexico,

Department of the Interior,
General Land Office,
November 6, 1868.

Sir:

The quarterly and incidental accounts of the office of the Surveyor General of New Mexico, for the fractional quarter ending September 30th 1868, received with letter of the late Surveyor General dated the 2nd instant, were this day reported to the Treasury for payment with the request that draft be sent as directed on the accounts.

Very respectfully Your Obt. Servant
Jos. S. Wilson
Commissioner

David A. Miller Esq.
Chief Clerk Surveyor Gen Office
[illegible]

480

initial point of survey, same as corner post No. 1, 106° 30' W. of true North 31 miles. Thence North 160 chains. Thence West 160 chains. Thence South 160 chains. Thence East 160 chains to the place of beginning, containing 2560 acres, more or less.

Dated this 20th day of March, A.D. 1886.

John [illegible], Commissioner

Circular.

Land Office
Winnipeg
March 20, 1886.

Sir:

Referring to Circular of the 18th instant, respecting the survey and sale of mineral lands under the provisions of the Act of Congress approved July 26, 1866, I have the honor to inform you that, pursuant to the instructions of the Minister of the Interior, the Surveyor General has decided that the initial point of each section of land surveyed under the provisions of the said Act shall be a stone monument, marked on the north and south sides, respectively, with the number of the section, and on the east and west sides with the number of the township in which the section is situated.

I am, Sir,
Your obedient servant,
John C. Nelson, Commissioner.

To H. [illegible]
[illegible]

Land Office
Winnipeg
March 20, 1886.

J. [illegible]
[illegible]
Dear Sir

[illegible] of the 18th instant, [illegible] of the Act of Congress approved July 26, 1866, [illegible] Lewis was [illegible] [illegible] [illegible]

[illegible]

[illegible]

[illegible]

48

Department of the Interior.
General Land Office
March 7. 1891

S. Kuhn Thomas Esq.
U. S. Surveyor General
Santa Fé New Mexico

Sir; The account of N.W. Dickson rendered in your letter of Aug. 31, 1890 audited 2nd. Auditor, returned to this office with his report on the 6th inst. with instructions to adjust,

In examining this account, it is observed that he was allowed $10.00 per mile for driving outfit as he is fully entitled to $12.00 per mile, the law under that clerk hire, rental & mileage not to exceed $4.00 per day to $4.00.

In his account for services and registering, he was rendered at the rate of $1800.00 per annum, which is according to our instructions limited to the amount to $1500.00 per year.

The account is adjusted for $36.68 instead of $44.02

Very respectfully
Willis Drummond, Commissioner

Department of the Interior
General Land Office
Washington D.C. Dec 29th 1891

S. Kuhn Thomas Esq
U.S. Surveyor
Santa Fé New Mexico

Sir:

I am in receipt of your letter of the 11th inst. transmitting Cont act No 40, dated June 10, 1891, made with Antonio C. Jaramillo Dep. Sur. for surveying the Ojo Caliente private land claim Serial No. 16, creating a liability of $500 payable out of private claim and stating that in your opinion the said claim of Jose Rea will contain surveyed & connected into a rectangular tract of land, but will also contain a considerable quantity of mountainous land, and requesting instructions in the premises. I am directed to inform you that the Contract No 40, has been approved and signed by this office on the 29th day of June 1891 and passed on the files of this office.

You are directed, before the expiration of your term of service to survey said Rea claim and similar claims of other

known to contest to give notice to the owner or agent whose name may be entered and called upon to appear at the time of the receiver's appointment, with the privilege of objecting, as he may think proper, to the appointment of such receiver and to require security from him for the faithful discharge of his duties and take such measures as may be deemed necessary to maintain any deficiency.

If the party's Cannot agree upon a City should be summoned to appear in accordance with the Code of Civil Procedure of New Mexico and also the Register's Plat on account of conflict of the claims with the private claims of Pena Blanca, you are further directed to make the necessary corrections on said plat showing the extent of the private claims and return said plat to this office for approval.

Very respectfully your Obedient Servant
William Drummond, Commissioner

Approved
Secretary of the Interior
Washington D.C. April 5, 1892

Filed May 6th
U.S. Surveyor General
Santa Fe, N.M.

Surveyor General's Office
Santa Fe, N.M. April 5th 1892

I hereby certify that the foregoing is a true and correct copy of the original plat of Township No. 13 North Range 8 East.

Witness my hand and official seal

William Drummond
Commissioner

[illegible] examined.

[illegible]

[illegible]

Sworn & subscribed
before me, J. M.

[illegible] 10/1 [illegible] [illegible] [illegible]

[illegible]
[illegible]
Washington D.C. May 22, 1871.

[illegible]
[illegible], Santa Fé, New Mexico

Sir: Your favor of the 15th inst. addressed to James Wilson, Asst. Adjutant General, U.S.A. Washington D.C., enclosing a copy of the proceedings of a Board of Survey convened at Fort Craig, N.M. by Special Order No. 6, Hdqrs. Dept. of New Mexico, dated March 21st, 1871, relative to the loss of Ordnance Stores, Camp and Garrison Equipage, etc. etc. by the burning of the Commissary Storehouse at that Post on the night of the 14th March 1871, has been received and referred to this Office for report and recommendation.

Referring to our Annual Instructions to Commanding Officers of Posts, dated May 5th, 1869, a copy of which was forwarded to your address, you are hereby informed that the Board of Survey convened at Fort Craig, N.M. by Special Order No. 6, Hdqrs. Dept. of New Mexico, dated March 21st, 1871, and the proceedings of which were forwarded to this Office with your letter of March 15th, 1871, was illegally convened and the proceedings thereof are disapproved and cannot be considered by the Department.

Circular.

Adjutant General's Office
Washington City
March 10, 1871.

Sir:

Your attention having been called to the frequent occurrence of the loss by U.S. Quartermasters of Ordnance Stores after the close of the fiscal year, and the consequent necessity of the appointment of Boards of Survey to examine into the circumstances of such losses, you are hereby instructed that no Board of Survey shall be convened for the purpose of examining into the loss of Ordnance Stores, Camp and Garrison Equipage, etc. etc. by the burning of the Commissary Storehouse at that Post on the night of the 14th March 1871, has been received and referred to this Office for report and recommendation.

Circular.

Adjutant General's Office
Washington City
March 10, 1871.

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4620

[illegible]

[illegible]

[illegible]

[illegible]

Jan 24, 1862 [illegible]

April 3, 1862 [illegible]

May 10, 1862 [illegible]

May 28 [illegible]

July 15, 1862 [illegible]

Dec. 12 1862 Comm^r by Letter directed him to remain at Key West to aid in getting the Prize Steamer Fingal ready for sea & to give such orders to the Officers of the Vessel as he may deem necessary for the safe navigation of the Vessel to the Navy Yard at Boston.

Oct. 3. 1863 Lieut. Commanding the Commr of the Vessel ordered to proceed to Key West on the 28th Sept. 1863, there to take charge of the Prize Steamer Fingal, and proceed with her to Boston.

July 1. 1864 Instructions to Commr of Vessel ordering the Vessel to be dismantled & the Officers & Crew discharged on their arrival at Boston.

Commr Harwood was informed that the Vessel would be ordered to Boston for the purpose of being dismantled & that the Officers & Crew would be discharged on their arrival at that Port.

In regard to the Difficulties made by the Portuguese Consul at Key West, the Department is of opinion that the Vessel should be detained at Key West, until the Consul withdraws his objections to the Vessel proceeding to Sea, or the Vessel is libelled in the Courts of the United States.

If the Vessel is libelled in the Courts of the United States, the Commr will afford the Marshal every facility in his power to enable him to execute the process of the Court.

If the Vessel is not libelled in the Courts of the United States, the Commr will not permit the Vessel to proceed to Sea, until the Consul withdraws his objections to the Vessel proceeding to Sea, or the Vessel is libelled in the Courts of the United States.

Should the Vessel be libelled in the Courts of the United States, the Commr will afford the Marshal every facility in his power to enable him to execute the process of the Court.

Department of the Interior
Bureau of Indian Affairs
Washington 25, D. C.

IN REPLY REFER TO:

Land Operations
Division of Real Estate Services

Mr. [illegible]

This is in reply to your letter of [illegible] in which you request information concerning the Indian ownership of [illegible] in the vicinity of [illegible] Section [illegible], Township [illegible] North, Range [illegible] West, [illegible] Meridian, [illegible] County, [illegible].

The records of this office indicate that the land described is owned by the [illegible] Indians and is held in trust by the United States Government. The land is not subject to any leases or permits issued by this office.

Sincerely yours,

Commissioner

Department of the Interior
Bureau of Indian Affairs
Washington 25, D. C.

Mail Address:
Navajo Service
Window Rock, Arizona

IN REPLY REFER TO:

Land Operations
Division of Real Estate Services

Mr. [illegible]

Dear Sir:

This is in reply to your letter of [illegible] in which you request information concerning the Indian ownership of [illegible] in Section [illegible], Township [illegible] North, Range [illegible] West, [illegible] Meridian, [illegible] County, [illegible].

The records of this office indicate that the land described is owned by the [illegible] Indians and is held in trust by the United States Government. The land is not subject to any leases or permits issued by this office.

Sincerely yours,

Commissioner

no title to the claim, or any names of the parties whose acts he
his own as agents, and as the Court has authority to direct in
draw the lands from sale & cover by said Lieut. Amman in
of private claims have been given, does not amend said
caveat, made principally by the William C. Kuch, Wm. Owens
& present that said survey is not according to Law and fail in the
enation of said claim.

Now are therefore at once ascertain & determine and
Value of said grant, and report the same to this Office, without
delay. If it has sufficient merits to justify favorable position of
the lands involved in form me of the fact, and also the
proper paid is to proceed in Examining Title and according
to law. In view of this case you will not issue
Survey
of Mexico, dated April 21, 854 pay
of Int. & Commissioner Gen. land office of 1854.
In answering this letter please refer to "H"
Respectfully
Wm Drummond, Com. Surveyor

Register & Receiver
Land Office
Santa Fe, N. M.

Sir, Upon examination of the papers in the Mexico origin in this Office, I find that many of the tracts claimed, as I am of Surveying Instructions require they should.

I enclose herewith a list of townships the papers are deficient. Of course the plats required in the Law of March 3, 1851 should be furnished prior to any patents being issued for the lands claimed.

Respectfully your obt. servt.
Surveyor General
N. M.

Register & Receiver
Land Office
Santa Fe, N. M.

Sir, Upon examination of the papers in the Mexico origin in this Office, I find that many of the tracts claimed, as I am of Surveying Instructions require they should.

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Respectfully your obt. servt.
Surveyor General
N. M.

Upon the receipt hereof you are requested to examine the papers in the within case in your office and if they are found to be complete in all respects, you will transmit them to this office, with your opinion and decision thereon, as required by the Act of July 22, 1854.

By order of the Commissioner
Surveyor General
N. M.

Register & Receiver
Land Office
Santa Fe, N. M.

Sir, Upon examination of the papers in the Mexico origin in this Office, I find that many of the tracts claimed, as I am of Surveying Instructions require they should.

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Surveyor General
N. M.

Upon the receipt hereof you are requested to examine the papers in the within case in your office and if they are found to be complete in all respects, you will transmit them to this office, with your opinion and decision thereon, as required by the Act of July 22, 1854.

By order of the Commissioner
Surveyor General
N. M.

Executive Office, Dec. 15, 1870.

To Hon: Surveyor General of New Mexico

Dear Sir:

Where persons are desirous of applying for patents to their mines, and the land is unsurveyed, it is necessary to run lines parallel with the surveyed portion of the domain, or connect the ground desired to be entered by survey on the spot and afterwards be made to conform to subdivisions when they are made. My reason for writing this information is that certain parties in the vicinity wish to take out Patents which cannot be issued unless the ground applied for must be run in order to establish the subdivisions. by authority of the Commissioner

I am Sir,

Very Respectfully,

A. M. Porter.

Lyman Trumbull, Pat. Solicitor

General Land Office.

Washington D.C. December 16. 1871

D. Miller Surveyor Gen.

Surveyor General; Santa Fe New Mexico

Sir; After a careful examination of the questions raised in the case and during the pendency of the application of the Ute Indians to have established the fractional legislation by Congress is indispensably necessary to enable you to make a proper survey and location of said Grant, and would advise you to suspend all proceedings in relation thereto until Congress can take the necessary action in the premises.

Upon which notify the grant claimants of the fact that fractional legislation is necessary so that they may bring it to the attention of Congress.

Very respectfully

Willis Drummond, Commissioner

Department of the Interior

General Land Office

Washington D.C. Dec. 18. 1871

D. Miller Surveyor Gen.

Surveyor General, Santa Fe, New Mexico

Sir: Replying to your letter of the 11th instant asking for an extension of time for the completion of the survey of the Ute Grant by metes and bounds, I have to inform you that the 10th section of the act of July 15th 1870 provides that fractional legislation by Congress is necessary in order to enable you to make a proper survey of said grant.

Very respectfully

Willis Drummond

Commissioner.

500

Santa Fe, N.M.
Feb 22/87

T. Rush Spencer, Esq.
United States Surveyor General
Santa Fe New Mexico

Sir

In reply to your letter of the 5th instant in relation to the examination of private land claims within the limits of the Gadsden Purchase I have the honor to inform you for your information and guidance a letter dated the 19th instant, from the Hon Secretary of Interior containing his views on that subject. So much of the letter as refers to the duties of the Surveyor Gen-

Respectfully
Your obt Servt
Edward Ancheta
Surveyor Gen'l N.M.

letter are hereby revoked.

Respectfully
Willis Armstrong
Commissioner

Department of the Interior
Washington D.C. February 17, 1858

Sir

I have considered the question submitted by you in your letter of the 10th inst. as to the power of the Surveyor General of New Mexico to investigate and report upon private land claims within the Territory acquired from Mexico by the Gadsden treaty of 1853.

The 8th section of the act of (July 22, 1854, 10 Stat 309) made it the duty of the Surveyor General of New Mexico, under instructions from the Secretary of the Interior, to ascertain the origin, nature character and extent of all claims to lands under the laws, usages and customs of Spain and Mexico, and for that purpose are hereby authorized to issue subpoenas, compel witnesses, administer oaths and do and perform all other necessary acts in the premises.

It required him to make a full report to the Secretary of the Interior of all such claims as originated before the cession of the Territory to the United States by the treaty of Guadalupe Hidalgo, with his decision as to the validity or invalidity of each of the same under the laws, usages and customs of the country before its cession to the United States. It required the Secretary of the Interior to lay such report before Congress for its action with a view to confirm bona fide grants and give effect to the treaty, and until the final action of Congress, all lands covered by claims, were reserved from sale or other disposal by the Government.

On the 4th of August 1854 Congress passed an act (10 Stat 574) which provided "That until otherwise provided by law the territory acquired under the late treaty with Mexico commonly known as the Gadsden Treaty be and the same is hereby incorporated into the Territory of New Mexico: subject to all the laws of said last named Territory which have been enacted by the Territorial Legislature of said Mexico or the laws passed by Congress for the Territory of New Mexico, to wit:

That the Surveyor General required a portion of the Territory, by reason thereof to provide

for it a region of Texas, or adjoined the Territory of New Mexico, and such a region, Congress now put to attach it to the Territory and make it subject to all its laws. Within the proper limits of said last named territory should be constituted to mean all the territory appertaining to, and belonging to the United States which was ceded by the treaties negotiated by the Governor of the United States and the laws of the Territory— the laws to which the territory is subject.

This constitution renders all the Territory acquired by the Gadsden treaty subject to an Act creating New Mexico, and of course to the 8th section of the Act of July 22, 1854, unless since the passage of that Act, in whole, or some portion thereof has been "otherwise provided for by law."

A portion has been thus "otherwise provided for." It has been incorporated into the Territory of Arizona (12 Stat 664) A Surveyor General has been given to it (12 Stat. 664, 16 & c 230) and it is now clothed with all the powers given to the Surveyor General of New Mexico, by the 8th section of the Act of July 22, 1854, (16 Stat 304 Sect 1)

So much of that portion of the Gadsden purchase now incorporated into the Territory of Arizona, as is comprised within that part of the Surveyor General of New Mexico has no jurisdiction and no power to examine into or to report upon any private land claims

As to the residue of the purchase, being that portion now remaining unincorporated into the Territory of New Mexico I am of opinion that it can only become subject to the 8th section of the Act of July 22, 1854, and the Act of August 4, 1854 and you will govern your action in accordance with this opinion

Very Respectfully
C. Delano
Secretary

Hon Attorney General
Genl Land office

Pursuant to the instructions
of General Dana dated
Washington D.C. March 12, 1842

Sir

In account of William J. Green, received with your letter of August 22, 1841, was forwarded to the Treasury for payment on the 19th ult. with request that draft be sent to you as directed.

The account was received from J. Sloo. for $36 33/100 for contract stipulates that when the transportation does exceed 1/2 ton it shall be paid at the rate of 5 cts. per mile instead of 5 1/2 cts as allowed

Very respectfully
Your Obedient Servant
Commissary

Lt. T. Lee Smith
A.C.S. Eastern Journal
Santa Fe New Mexico

Santa Fe New Mexico
April 20th 1842

Lieut. T.L. Smith
Eastern Journal
Santa Fe N.M.

General

An agent in U.S. Mail routes and others, settled on the public lands at least six months previous to the first of January last in New Mexico, desire their lands, they occupy, surveyed, so that they may proceed in obtaining their titles from the Government as required by act of June 1840 an estimate of funds necessary to defray the expense of 24 N. R. 26 E. Extraordinary the land reserved to, with directions for disposition of said lands

Respectfully
Your Obdt Servt
M Brunswick
Agent

Department of the Interior
General Land Office
Washington D.C. May 6th 1872

Surveyor General
Santa Fe New Mexico

Sir

I have to call your attention to the last proviso in the 16th section of the Act of July 9, 1870 - U.S. Stats vol 16 page 217 and to our instructions thereupon in the latter part of the 6th paragraph, page 4 of our circular of August 8th 1870 viz that Nothing herein contained shall require the survey of waste or useless lands it is a principal of general application and Surveyors General will refrain from extending the lines of public surveys over such waste lands which are considered to be those covered with woods to a depth calculated to prevent the growing of crops, mineral and or other sandy plains of great extent and also to survey mountains not known to contain mineral deposits.

The object of this circular is to secure the survey of as much land fit for cultivation, as possible out of the Appropriations for surveys by Congress, and to confine the restrictions to lands that are fit for settlement and cultivation

Please acknowledge the receipt of

Very respectfully
Your obedient servant
Willis Drummond
Commissioner

Department of the Interior
General Land Office
Washington DC July 18, 1872

Sir

The salary and incidental expenses accounts of your office received with letter of July 3d were forwarded to the Treasury for payment (excepting Mat of T. Knox Spencer) on the 23d instant with request that drafts be sent to parties as directed.

The account of the late Surveyor General amounting to $659 34/100 will remain suspended until a copy of the Letters of Administration is forwarded to this office

Very respectfully
Willis Drummond
Commissioner

To the
U. S. Surveyor General
Santa Fe New Mexico

Department of the Interior
General Land Office
Washington D.C. August 15. 1872

Chas. C. Pennell Esq.
Surveyor General.
Santa Fé New Mexico.

Sir:

The Mineral Cabinet Specimen attached to this Bureau having been transferred to the Smithsonian Institution, all future contributions of minerals, should be sent to the Secretary of that Institution.

Very respectfully.
Willis Drummond
Commissioner

Department of the Interior
General Land Office
Washington D.C. Sept 13, 1872

Pd $5.

U.S. Surveyor General.
Santa Fé New Mexico.

Sir,

In issuing duplications under the Statute of May 10. 1872 you will estimate for "Office work" in preparation of your plat and one copy of the original field notes in each case, to be disposed of as follows; viz: 1st A plat and the original field notes, to be retained in the Office of the Surveyor General.

2d One copy of plat to be given to claimant: or the party upon claim; 3d One copy of plat and copy of field notes to be given claimant for filing with the proper Register, to be finally transmitted by that Officer, with the other papers in the case, to this office. 4th One copy of plat to be sent by Surveyor General to Register of proper land district to be retained on his files for future reference.

The following certificate will be endorsed upon each plat by the Surveyor General;

Viz:

"The original field notes of the survey of the
" tract which this plat has been made, have been
"Examined and approved and are on file in this Office, and
"I hereby certify that they furnish such an accurate description
" of said tract claimed as will, if incorporated
" into a patent, serve fully to identify the premises, and that

"Such reference is made therein to natural objects and
"permanent monuments as will perpetuate and fix the locus
"thereof. & further certify that the value of the labor and improve-
ments upon the said mining claim is not less than five
hundred dollars and that this is a correct plat of said
Mining Claim as previously made in conformity
with said original field notes of survey thereof."

United States Surveyor Generals office }
} U.S. Surveyor General
187 } for

The following certificate will be attached to the copy of
field notes filed by claimant with Register as aforesaid; viz:
"I certify that the foregoing transcript of the field
"notes of the survey of the mining claim, sit-
"uated in mining district, County of and Territory
"of New Mexico, has been correctly copied from the original
"notes of said survey on file in this office; that said field notes furnish
"such an accurate description of said mining claim as will, if incor-
"porated into a patent, serve fully to identify the premises, and that
"such reference is made therein to natural objects and permanent
"monuments as will perpetuate and fix the locus thereof. & further
certify that the value of the labor and improvements upon the
said mining claim is not less than five hundred dollars, and
that the plat thereof filed in the U.S. Land Office at
is correct and in conformity with the foregoing field notes;

U.S. Surveyor Generals office }
} U.S. Surveyor General
187 } for

You will please acknowledge the receipt thereof as "U."

Very respectfully
Your obt. Servt
Willis Drummond
Commissioner

Circular-

Department of the Interior,
General Land Office.
May 16th 1868.

John A Clark Esqr
Surveyor General
Santa Fé New Mexico

Sir

Under the provisions of the 10th section of the Act of Congress entitled, "An act granting the right of way to ditch and canal owners over the public lands and for other purposes" approved July 26th 1866. the public lands on which no valuable mines of Gold, Silver, Cinnabar or Copper have been discovered, and which have been occupied and improved by bona-fide homestead or pre-emption settlers are permitted to be taken up by said settlers in quantities according to legal subdivision, not exceeding one hundred and sixty acres at the rate of $1.25 per acre.

In order that the lands of that character may be known to the Government, and its Local Land Officers and that the same may be set aside as "Agricultural," Circular instructions have this day been issued to the Registers and Receivers of the U.S. Land Offices, how to proceed in the ascertainment of that class of lands and their segregation from actual mineral lands, Copy of which when printed will be sent you for your information and government.

It will be perceived that, those instructions allude to directions having been given to Surveyor General requiring them to cause their Deputy Surveyors to describe in their field notes and designate on township plats "Agricultural Lands" which were required in our Mining Circular date January 14. 1867. page 8.

In application of these instructions it is found of importance to the public service that Deputy Surveyors under your control should avail themselves, whilst executing their surveys in the field of all trustworthy information in regard to the mineral localities falling within the sphere of their contracts, in addition to their personal and diligent observation and to record in their field notes such concise descriptions of diverse mineral characteristics to afford your draughtsmen adequate data for indicating the same on township plats in distinct colors made use for the outboundaries to the Belt of lands containing Gold, in blue tints Embracing silver: in red such as contain Cinnabar, and in green those

lands which are more valuable for coal or mining than for Agricultural purposes; and by designating such lands on the township plats in a conspicuous manner "Mineral Lands" within the outboundaries of the respective tracts as aforesaid so that the Government Officers may possess the necessary information for correctly carrying out the object of the laws in the adjudication of any conflicts that may arise in the disposal of the public lands.

The foregoing designations of "Agricultural Lands" and "Mineral Lands" on township plats you will cause to be represented conventionally with the respective character of such lands by townships, sections, quarter sections, and smaller local subdivisions as the data on file in your office shall warrant. Timber lands on rocky hills and mountains not known to contain any of the aforesaid minerals you will designate them "Agricultural Lands" and if to the contrary you will describe them as "Mineral".

Gulch and creek mining although not specially named in the Act of July 26. 1866, yet should actual case disclose Gulch mining pertaining of the character of the mineral, a proper showing to that effect may warrant them in being classified accordingly, and as subject to disposal under the mining laws; mere surface Gulch, or creek explorations are to be reported as "Agricultural Lands"; similar designations will be applied to placers once valuable but which have become exhausted so as no longer to be valuable as mines

You are requested to acknowledge receipt hereof at an early time.

I am very respectfully
Your obedt servt
Jas. S. Wilson
Commissioner

Department of the Interior
General Land Office
Washington D.C. Sept 14th 1872.

U.S. Surveyor General
Santa Fe New Mexico.

Sir

This is to instruct you, that in forwarding accounts to this Office for adjustment and payable out of moneys deposited by Individuals you will be particular to state in the account, by whose the same was deposited. the date of deposit and the amount

Very respectfully
Willis Drummond
Commissioner

No 9

Department of the Interior
General Land Office
Washington D.C. Sept 14th 1872

J.K. Proudfit Esqr
U.S. Surveyor General
Santa Fē New Mexico

Sir:-

I am in receipt of your communication of the 15th ult., asking whether the Military reservation Embracing sec. 9. to 16 inclusive in Tp. 18 N. R. 20 E. New Mexico is still claimed by the Government.

In reply I have to say, that said reservation is yet under the control of the War Department, the sixth (6) section of the Act of Congress approved June 12, 1858. preventing the disposal of military reservations, useless or abandoned, (except in Florida) without a special Act of Congress.

Very respectfully
Your obedt Servant
Willis Drummond
Commissioner

Department of the Interior
General Land Office
Washington D.C. Sept 20, 1872

Gen. J. Proudfit Esqr
Surveyor General
Santa Fē New Mexico

Sir

I am in receipt of Land Office Miller Esqr. Chief Clerk of your office dated the 16th ult to which have been received a Transcript of said note and plat of Township 14 N.R.8 E. together with the account of Jno. White Deputy Surveyor and other papers accompanying said letter.

The said transcript of the field notes and plat having been critically examined and approved by Mr Miller in the absence of Surveyor General and being illegal are herewith returned to your office for your verification and approval.

The survey of that part of the aforesaid township, which lies south of Galisteo Creek, having developed the fact of errors committed by former Surveyor of the public lands situated South of the Creek upon the North and East boundaries of the Reg Mile grant, the correction made in the field by Mr White under the proper Lines stated by the

Chief Clerk is hereby approved.

The plat of fractional township 14 N. R. 8 E. approved April 20, 1858 on file in this office shows the E ½ of the W. ½ of sec 26 as containing 80 acres but in consequence of the correction made in the Northern boundary of the Ortiz Mine Grant the contents of the tract have been curtailed; the plat of surveys received at this office not showing the area of the present fractional East half of the W ½ of said section you are requested to calculate the contents thereof and after deducting the same with 80 acres one of the actual area of the fractional lot.

The account of Mr White has this day been adjusted and will be reported tomorrow to the Auditor Comptroller of the Treasury for his decision thereon

I am very respectfully
Your Obdt Servt
Willis Drummond
Commissioner.

Department of the Interior
General Land Office
Washington D.C.
Feb 17. 1872,

P. Kush Spencer. Esq.
U. S. Surveyor General
Santa Fe, New Mexico.

Sir:

I have received your letter of 18th December last forwarding at request of Judge John S Watts four letters addressed to you by him the first on the subject of the resurvey of the E. V. Eaton grant: the 2d and 3d in reference to the suggested adoption of the private surveys of the Pedro Armendariz and Hugh Stephenson grants respectively and the fourth on the subject of the survey of the Pablo Montoya grant, and in reply I have to say:

1st In reference to the resurvey of the Eaton grant you were instructed to examine the original papers and survey of the grant and report to this office whether or not the survey of 1861 was executed in accordance with the calls of the grant together with your opinion as to the necessity for the resurvey. (2) In regard to the suggested adoption of private surveys of the Pedro Armendariz and Hugh Stephenson grants I have to say that upon examination of the documentary evidence on file in this office, I find no maps of any kind alleged by Judge Watts to have been filed in your office, delineating the boundaries of these grants confirmed by Congress June 21, 1860. The Armendariz grant may be surveyed at the cost of the parties. If you find

the private survey correct and conformable to the grant requirements of law and instructions your survey may and should accord therewith provided such survey does not conflict with the lands reserved by the President on the 23d. September 1869. for Fort Craig Military Reservation. (3) The like policy may be adopted by you in the survey of the Hugh Stephenson grant that has been suggested in regard to that of Armendariz.

(4) As regards the Montoya grant and my advice of the 16th November last to suspend all proceedings in the matter of the location and survey until further legislation by Congress is had I have now to say that, notwithstanding my own view of the matter remains unchanged, as Judge Watts attorney for claimants insists on a survey of the grants and claims that the parties in interest have a right thereto at their own expense, said survey to be subjected to the approval or disapproval of this office. I withdraw my advisory letter of the 16th November last and leave you to exercise your own discretion as to the matter of proceeding with the survey: I refrain however from indicating to you any method of making said survey as requested in your letter of Oct. 10, 1871, for the reason that, the law devolves on you the duty of making and reporting surveys to this office for approval or disapproval.

When the survey shall have been executed it will be the province of this Office to examine into the merits of the survey, and your approval of the same when such action will be had in the matter, as the facts will warrant of which you will be duly advised.

Very Respectfully
Your obedient Servant

Santa Fé, New Mexico
March 22. 1872.

Hon. P. Knox Spencer
U.S. Surveyor General

Sir:

As agent for certain settlers on public land on the Galisteo Creek in this County who desire to avail themselves of the provisions of the laws of Congress of May 10, 1862 and March 3, 1871, and have the land surveyed by the Government so that they may proceed in the attainment of title thereto, I respectfully request the necessary instructions from your office as to the amount of land, place and manner of depositing the funds required for subdividing the townships embracing said lands to wit T.14 N. R.8 E.

Respectfully (Samuel E. Rivers)
Agent for settlers.

5-72

Department of the Interior
General Land Office
Washington D.C.
April 5. 1872.

Sir:

You are requested to prepare and transmit to this Office the annual estimates for the surveying service in your District for the fiscal year ending June 30th, 1874. They should be transmitted in time to reach this office by the first day of August next.

Your annual report of the surveying operations in duplicate accompanied by a map showing the progress of Surveys should be transmitted here so that the same may be received not later than the first day of October next; and if necessary the time for completing the map will be extended to the first of November next.

The estimates should in addition form a part of your annual Report for your better information and to secure uniformity in regard to the construction of the maps to accompany your annual report you are referred to the inclosed reference diagrams.

As it is intended to have the map published in connection with the annual Report for 1872 you will cause your draughtsman to compile the same from authentic data available to you so as to render it worthy of being published.

You are requested to acknowledge the receipt of this circular

I am very respectfully
Your obedient servant
W.W. Curtis
acting Commissioner

To T.P. Rush Spencer
U.S. Surveyor General
Santa Fé New Mexico.

Santa Fé New Mexico
April 25, 1872,

To General T.P. Spencer
Surveyor General of New Mexico
Santa Fé. N.M.

General:

As agent for S.B. Maxwell and others Settlers on the public lands at, and in the vecinity of the Fort Summer Mill Reservation, who desire their lands they occupy, surveyed, so that they may proceed in obtaining their titles from the government. I respectfully ask of your office an estimate

of funds necessary to obtain the survey of T. 2 & 3. N. R. 2 E. embracing the land referred to with direction for depositing said funds.

Respectfully
Your Obd. Servt
Ch Brunswick
Agent.

Department of the Interior
General Land Office,
Washington D.C.
May 1, 1872.

T. Rush Spencer Esqr.
Surveyor General,
Santa Fe, New Mexico,

Sir:

I am in receipt of your letter of the 17th. ultimo. transmitting Contract and Bond No 45; dated April 17, 1872, made with Williams White, Deputy Surveyor liability $400 — payable out of Special deposits by individuals.

The said Contract having been found unobjectionable has this day been approved and placed on the files of this Office

You state in your letter that in order to close the lines of the public surveys to be made under this contract on the outboundary of the Ortiz Mine Grant surveyed by Means in 1861. it will probably be necessary to re-establish the Means survey and you propose to allow the Deputy fifteen dollars per mile for such resurvey. To this proposition I have to say that as the Contract specifies that the Deputy is to receive ten dollars per mile, it will be necessary to state in your special instructions the rate of compensation for said resurvey and copy of said instructions should be forwarded to this office and to that of the First Comptroller of the Treasury.

Should the closings of the lines of public surveys on the northern boundary of the Ortiz Mine grant require ennendation of former surveys lying north of the Galisteo Creek you will reconstruct the Plat of Tps 14 N.R. 8 E so as to show the actual condition of the public lands heretofore surveyed as well as those to be surveyed under Wm H Whites Contract expressing the respective contents thereof

Very respectfully your obedient servant
Willis Drummond.
Commissioner

Department of the Interior
General Land Office
Washington D.C.
May 29. 1872.

Mr T. Rush Spencer
U.S. Surveyor General
Santa Fé. New Mexico.

Sir:

The appropriation for the contingent expences of the General Land Office for the fiscal year ending June 30, 1873, being barely sufficient for the purchase of stationary furniture &c for our own use, the purchase of certain stationary and blanks for use in the several surveying Departments will be discontinued on and after the first of July next. You will therefore immediately upon the receipt hereof prepare and forward an estimate of quantity of Blank Descriptive Lists, Blank Township Plats, Field Note Paper, and Field Books, which you desire furnished from the Department for use in your office during the ensuing year.

Upon the receipt of such estimate the articles will be procured and forwarded accompanied by the stationers account which account when approved by you and returned to this office will be reported to the Treasury for payment out of your contingent fund..

Respectfully
Willis Drummond,
Commissioner

Department of the Interior
General Land Office.
Washington D.C.
June 18.1872.

T. Rush Spencer Esq'r
Surveyor General
Santa Fé. New Mexico.

Sir:

I have to advise you of the following appropriations made by Congress for the surveying service in New Mexico during the fiscal year ending June 30, 1873. to wit.

For compensation of Surveyor General $3000. for clerks in his office $6000. for incidental expences $2000. and for surveying public lands at rates not exceeding $15 per linear mile. for standard lines $12, for Townships and $10. for section

lines $20 000,

The said amounts are hereby placed under your control to be applied in accordance with the existing laws and regulations governing the service. You will make arrangements for the letting of contracts for the field operations to the extent of the means provided. The selection of the locations to be surveyed is left to your sound judgment and knowledge of the demands of settlers and other interests under the laws of Congress.

You will provide in Contracts the obligation on the part of your Deputies Not to commence the work in the field prior to the 1st day of July next and, in special instructions you will require them to state in their affidavits to the returns of surveys that the surveys were performed in strict accordance with the "Manual of surveying Instructions."

In this connection I have to advise you that under the provisions of the appropriation act of June 10, 1872, "All appropriations for survey of public lands that are within the limits of the Rail Road land grants shall be conditional upon the compliance of said Companies or parties in interest with the requirements of the 21st Section of the act of July 2, 1864," vide Vol 13 U.S. Statutes page 365.

You are requested to acknowledge the receipt of these instructions at your early convenience.

Very Respectfully
Willis Drummond
Commissioner.

Department of the Interior
General Land Office
Washington D.C.
August 19, 1872.

U.S. Surveyor General
Santa Fe, New Mexico.

Sir

Referring to our letter to your office of June 3, 1859, I transmit herewith, for your information and files copy of act of Congress of May 24, 1872, together with the field notes and plat showing the Military Reservation of Fort Stanton New Mexico as reduced by said act also letter from the Hon Secy of War dated 4 inst to the Hon Secretary of the Interior transmitting the same

You will consult to be laid down upon the official diagram in your office the present reservation in lieu of the former one made by the President's proclamation of May 12, 1869, so that in the future extension of the public surveys the same may be respected

See R 518

574

Department of the Interior
General Land Office.
Washington D.C.
December 7. 1874.

James K Proudfit Esqr
U.S. Surveyor General
Santa Fé, N.M.

Sir:

In the future when transmitting papers to this Office in reference to Private Land claims in New Mexico under the act of July 22, 1854, you will please send the same in triplicate

Very respectfully
Your obedient Servant
Willis Drummond
Commissioner

Department of the Interior
General Land Office.
Washington D.C.
December 7, 1874.

James K Proudfit Esqr
Surveyor General
Santa Fé, New Mexico.

Sir:

Referring to your letter of the 4th inst requesting publication to be furnished with copies of Spanish and Mexican laws relating to Land titles in the territory of New Mexico; I have to inform you that a Bill is now pending in Congress for the creation of a Commission to adjust Spanish and Mexican grants and if the same becomes a law it will obviate the necessity of furnishing your office with the documents.

Under these circumstances the consideration of the subject by this office will be deferred for the present.

Very Respectfully,
Willis Drummond.
Commissioner

Department of the Interior
General Land Office
Washington D.C.
January 13, 1873

Mr. F. K. Proudfit.
U.S. Surveyor General
Santa Fe New Mexico.

Sir:

In reply to your telegram dated Dec 28, 1872, asking if this office recommends action on your letter of 20th ult. month, I have to state, that in the opinion of this office the $6,200, estimated for the next fiscal year will be adequate for the ordinary surveying service of your office and as Congress has now under consideration a bill to organize a Commission for the adjustment of Private Land Claims in N Mex. I do not deem it necessary to recommend any additional appropriation

Very Respectfully.
Willis Drummond
Commissioner

J.C.S

Ten mile pleases acknowledge the receipt hereof.
I have respectfully
Your obedient Servant
Willis Drummond
Commissioner

Santa Fé New Mexico
October 10, 1872.

Hon James K Proudfit
U.S. Surveyor General
for New Mexico.

Sir:

As present part owner of the confirmed private land claims No 93, and 94, in the name of Pedro Armendariz, on file in your office, I am desirous of having them surveyed by the government: and now respectfully request, that at your earliest convenience, you furnish me an estimate of the amount of funds necessary to deposit for that purpose, and give directions as to the manner and place of making the deposit.

Very Respectfully &c:
Wilson Waddingham

Mr David J Miller
Chief Clerk &c
Santa Fé New Mexico.

Dear Sir:

Accept my thanks for your favor of Sept 30th 1872, with its contents viz.
Three receipts for public property records &c signed by James K Proudfit Surveyor Genl. for New Mexico successor to the late Dr J. Rush Spencer.

Your Obt Servt.
Thomas H Murray
Executor of last Will
& test. of J Rush Spencer.

238 W 52 Street
New York Oct 12, 1872.

519

Department of the Interior
General Land Office
Washington D.C.
October 14, 1872.

James K. Proudfit Esqr
Surveyor General
Santa Fe New Mexico.

Sir:

I am in receipt of your letter of the 4th instant transmitting three receipts given by you to the executor of the estate of your predecessor in office for the property and records belonging to the Office of Surveyor General of New Mexico. said receipts bearing date September 30th 1872.

Very Respectfully.
Willis Drummond.
Commissioner.

Department of the Interior
General Land Office
Washington D.C.
October 23. 1872.

James K. Proudfit Esqr:
Surveyor General
Santa Fe. N. Mex.

Sir:

I am in receipt of your letter of the 12th instant transmitting Contract and Bond No 49, dated October 12. 1872, made with J. Howe Watts U.S. liability $ 4968 00

Also Contract and Bond No 50, dated October 12. 1872, with same deputy for the survey of private claims Nos 33. and 34, in the name of Pedro Armendariz, survey to be paid for out of special deposits the certificates of which were received with your letter bearing even date with the one above mentioned.

The said Contracts have this day been approved and placed on file in this office, but in regard to the, Contract for the survey of Grants 33 and 34 I have to say as follows.

In your letter transmitting the certificates of deposit you state that as both grants were confirmed to the same grantee and belong to the same owners the survey of the boundary common to both is not contemplated. In this I deem that each claim must be separately and distinctly surveyed and

520

You are hereby directed to instruct the Deputy to meander both sides of the Rio Grande as far as the same constitutes the boundary of said claims so that the area of each grant may be seperately calculated.

If necessary you will call upon the owners of the grants for a further deposit to cover the cost of the additional work.

Very Respectfully
Wm. Willis, Jr.
Commissioner.

Department of the Interior
General Land Office
Washington D.C.
October 25, 1872.

Wm. James M. Proudfit
U.S. Surveyor General,
Santa Fe, New Mexico.

Sir:

The accounts of your Office for the quarter ending Sept 30th received, with letter of the 4th inst were forwarded to the Treasury on the 18th and 21st inst with request, that drafts be transmitted, as directed.

The account of the late Surveyor General of New Mexico received with letter of 3d July last was, transmitted to the Treasury on the 21st instant, with directions, that draft be drawn in favor of Wm. Brunson Murray, Executor and sent to his address No 235, West 57th St New York City.

Very Respectfully
Wm. Willis, Jr.
Commissioner

were located here and he insists on having them in town.

Of course I have nothing to do in the matter only to await Special instructions from you, which instructions have not yet arrived. When such instructions are received, I will make the survey in accordance with them.

I have been interviewed extensively by all the parties. Two of the mill Co's have had their mill sites surveyed. I told them that it was my opinion that they would have to take chances of being included in the Town Site. They insisted notwithstanding our having their mill sites surveyed, and I done the work for them.

I wish you would be kind enough to give me information as to the proper course for me to pursue when such questions arise. One man has offered me fifty dollars to do about two hours work for him but knowing that he was not entitled to the claim in the way he wanted to take it I would not do the work for him.

Hoping to hear from you soon I am

Very respectfully
Your obedient servant
R. M. Ridder

P. S. All the Lawyers in the place and some imported Lawyers have been retained on one side or the other I enclose two notices that have been handed me.

R.M.R.

Las Vegas New Mexico
January 29, 1873.

Genl: No Proudfit Esq.
Surveyor General.
New Mexico.

Sir:

Enclosed please find tracing which locates the lands mentioned in my former letter. You will observe that the desired lands (to reach which would require crossing the red lines) is entirely clear of the Beaubien and Miranda or any other grant. But the map the position of the Maxwell Grant to the east lines is correct. Knowing our connecting lines last fall. The location of the lands desired is from what I can learn of the parties shown correctly although possibly a portion of them might come in the Townships North and regarding the situation of the proposed meridian beyond the old connecting lines.

You will observe that the entire tier of sec-

Las Vegas N.M. Jany 13/73 18½ Y. 2 Y.t
S16°+S17 for dates see pages

J-22

would require to cross a very high and rugged chain of mountains for at least 40 miles, and 2d That a great portion of the line would cross the Maxwell Grant which is covered by lines run from a Special Meridian, so run the 6th Corr Lines across. These mountains is impracticable at all in winter and would be inaccurate and make bad closings in summer from the excessively rugged character of the country. My view of the matter is that the best plan to adopt for the surveys East of the Maxwell Grant is to run up a Meridian as shown.

Regarding deposit & estimate cost as follows assuming it necessary to run the red lines.

| | | |
|---|---|---|
| 43 Miles | Meridian at $15, | $ 630 |
| say 12 " | Corr Lines (possably 6) at $15, | 180 |
| 18 " | Pls " " $12, | 216 |
| | Interiors | 600 |
| | Total | $1626 |

Should you sanction the arrangement I have no doubt that the deposit will be made

Regarding Mr Kingman doing the work, would it not be a certainty that the Commissioner of the Land Office would ratify the Contract if you made it. If so he could go on with the work very shortly.

If it be worth while I will send Mr Kingman to Santa Fé, immediately on his arrival which is expected very soon.

Very Truly Yours
W.K. Morey

Department of the Interior
General Land Office
Washington D.C.
January 22. 1873

(James K. Proudfit, Esqr.
U.S. Surveyor General
Santa Fé New Mexico.

Sir:

I transmit herewith for your information copy of a declaration of a reservation for military purposes known as Ft. Butler in T. 13 N. Rgs 27 & 29 E New Mexico directed by Secretary Thomas of Pennsylvania and proclaimed by the Hon Secretary of War March 22. 1861.

You will make the proper annotation upon the official diagrams on file in your office in order that the same may be reported.

You will please acknowledge the receipt hereof.

Very Respectfully
Willis Drummond
Commissioner

Department of the Interior
General Land Office
January 31. 1873.

James K. Proudfit, Esqr.
Surveyor General
Santa Fe New Mexico.

Sir:

Your official bond having been approved I transmit, herewith, your Commission the receipt of which you will please acknowledge.

Very Respectfully
Your obedient Servant,
Willis Drummond.
Commissioner.

Department of the Interior
General Land Office
Washington D.C.
February 6. 1873.

James K. Proudfit. Esq.
Surveyor General
Santa Fe New Mexico.

Sir:

In reply to your letter of the 13th ult asking permission to remove your office to a more eligible location. I have to inform you that if the unexpended balance of the appropriation of $2,000 for incidental expenses of your office will be unsafe to defray the expense of moving and the increased rent for which you become liable, as well as to fully provide for the incidental expenses during the remainder of the fiscal year, I have no objection to the removal you request, provided you exercise every precaution to have the records so preserved in the most secure and fire proof building that can be had.

Very Respectfully
Willis Drummond
Commissioner.

524

Department of the Interior
Washington D.C.
February 6. 1873.

To the Surveyor General of Public Lands
Santa Fé. New Mexico. T

Sir.

Specimens of ores, minerals, and other objects of Natural History, such as have heretofore been forwarded by mail to the Commissioner of the General Land Office, should hereafter be sent to the Secretary of the Interior, marked on one corner "National Museum"

Very Respectfully
B.R. Cowen
Acting Secretary.

Department of the Interior
General Land Office
Washington D.C.
February 17, 1873.

Wm James K. Proudfit.
U.S. Surveyor General
Santa Fe New Mexico

Sir:

In reply to your communication of 20th December last relative to the limited clerical force in your office and the difficulty you labor under in furnishing transcripts of records, in Spanish and Mexican private land claims, in triplicates as required, I have to state that you will in all probability be relieved of a great deal of this labor should the action of Congress toward the bill to create a board of Commissioners for the adjustment of Private Land Claims in New Mexico be favorable but until such legislation be had I must insist upon all "transcripts of records in cases of Spanish and Mexican private land claims "being furnished in triplicate"

Very Respectfully
Your obedient Servant,
Willis Drummond.
Commissioner.

Silver City, New Mexico
February 22, 1873.

James K. Proudfit, Esq.
Surveyor General
New Mexico, Santa Fe.

Sir;

Your favor of the 1st instant is received. The irregularity of the mails, as well as the facts that I have been travelling to the different camps, must be the excuse for this seeming tardy answer.

The statements made in your letter regarding T. 14 N. R. 8 E. are correct, I informed the Hon. Com. Genl Lands Office, that in my opinion, the tract T. embraced within Mr Whites survey should be returned as "Coal lands." I also prior to my departure for the States, advised Mr White to return them as "Coal Lands" stating to him at the same time that he was bound to do so under his contract and the general instructions.

Respectfully Your Obt Servt.
R. B. Willison.

General Land Office
Washington, D. C.
January 7, 1873.

James K. Proudfit, Esq.,
U. S. Surveyor General
Santa Fe, New Mexico.

Sir:

I am in receipt by reference from E. N. Little, Esqr. Receiver of Public Moneys Santa Fe N.M. of a letter to him dated 6th ult., from the United States Attorney same place copy herewith, stating that the land embraced in the survey of William White in Tps 14. N. R 8 E. N. M. M. is notoriously mineral land and not agricultural as reported by the deputy surveyor.

As the plat and field notes have never been properly certified by you and as too evident haste was made to have the same approved and filed in the local Land Office I have to request that you will re-examine the survey and as the land lies in close proximity to your office you will consider the character of the land critically in person and in the field, as early as practicable. After your re-examination you will certify, as required in our letter of Sept 20th last to the original

plat and field notes on file in your office and the duplicate in the office of the Register on such day and date as you were actually on duty in your office changing the present date of the approval of the plat and field notes, viz: Aug 16 & 14, 1872, and inform this office of your having done so and the date of the change.

The actual expense incurred by you will be charged against the appropriation for Surveys of Public Lands approved June 10, 1872.

You will immediately withdraw the duplicate plat from the Local Land office and retain the same until further advised by this office

Very respectfully
Your Obedient Servant
Willis Drummond
Commissioner

General Land Office
Washington D.C.
Feby. 25, 1873.

James K. Proctor Esq;
U.S. Surveyor General
Santa Fe, New Mexico.

Sir:

I have examined your reply to mine of the 7th ultimo, in reference to the survey of that part of fractional township 14 N. R. 8 E. which lies south of the Galisteo Creek alleged to have been improperly returned as Agricultural land, the same being coal lands.

You advise me that the Register's plat of said fractional township, which had been filed by Chas Miller Chief Clerk on the 20th August last, has been withdrawn from the Registers Office in pursuance of my instructions to that effect and that your final designations thereon, of thirteen farms having been taken by pre-emptors on the 14th November last, only about three weeks previous to the Receivers statement to the effect, that he was satisfied that the lands embraced in the survey referred to, was valuable coal lands, and that they should be withdrawn from the operation of the home-stead and pre-emption laws.

In your enquiry as to the ordered Examination of the premises Envolved with the view of ascertaining whether the same is coal or Agricultural land, I have to say that inasmuch as the

Extent of the lands is limited, and its distance from your office, of easy access, this office prefers your personal inspection of the lands, and such collateral parol testimony of persons in the neighborhood as you may deem necessary to take, looking to the ascertainment of the true character of the land in question.

As to the time when the inspection is to take place, I leave the selection to your judgment, trusting it will not be unnecessarily delayed.

Your report and final opinion of the lands based upon actual examination in the field, in case they will have been found to be coal lands you will place in the original book of field notes, as an addenda, then designate the character thereof on the original plat, and furnish transcripts to this office for the purpose of having them attached to the official returns on file here, and for such ultimate action thereon as the evidence produced may justify.

In this connection I have to assure you that whatever result of the question at issue may be your action in the matter, in the opinion of this office, is free from objections, and no blame is attributed to you.

I am Very respectfully &c
Willis Drummond
Commissioner

General Land Office
Washington, D.C.
February 26, 1873

James McProudfit Esqr.
Surveyor General, Santa Fé New Mexico,

Sir:

I in reply to your letter of the 13th inst in reference to the Standrods Chain of measure, I have to say that the recently constructed chain differs from that which was furnished your predecessor in office, and which was described in letter from this office under date of September 7, 1855 in the following words & figures viz:

The termini of the chains sent you are the centers of handles through which the chain poles are intended to pass. You will observe that the first and last links fall short of the required length, the deficiencies being compensated by additional length terminating in the centres of the handles as represented by grooves thereon.

I trust, the foregoing explanation fail to

corroborate the actual condition of the claim in question and you be satisfied of its defects, you will return it for such alteration as may be found by the instrument makers necessary, transmitting his account properly authenticated for adjustment and payment.

Yours very respectfully
Your obedient servant
Willis Drummond,
Commissioner.

U.S. Land Office
Santa Fe, New Mexico
February 26, 1873.

General James K. Proudfit,
Surveyor General of New Mexico,
Santa Fé, New Mexico.

Sir:

Your favor of this date received. As Mr Hoyt is absent with leave it is not possible to furnish you with the information asked for.

Mr Townsend informs me that he is acquainted with the land in question and deems it to be "coal land". (On Mr Hoyts return the subject will receive due attention.

Very respectfully
Your obedient servant
James F. Newhall,
Deputy.

Surveyor General's Office
Santa Fe, New Mexico
March 4, 1873.

J. K. Proudfit.
Surveyor General.

Dear Sir:

Yours of 28th ult at hand. I dont now remember to whom I referred as evidence of the lands being Coal Lands, but here state that W.B. Nelson and Abram G. Hoyt as also W.G. Rencher and Col Anderson formerly Supt N. Mex. Mis. can give any information.

Respectfully
W.B. Watrous

Santa Fe New Mexico
April 7. 1877.

General James H Proudfit
U.S. Surveyor General
of the District of New Mexico.

Sir:

I have the honor to acknowledge the receipt upon the 6th of your communication of that date calling my attention to an extract of a letter of Nov 6, 1876 addressed by U.S. District Attorney Catron to Gen. Pelle Register of the Land Office in this City with reference to my survey of fractional Township 14. North Range 8 East, made in May last.

I wish to state that my survey embraced but a very small portion, viz: one eighth of that Township, by far the greater portion of it, running down arroyos, and much of it disposed of by the Government long before my survey - that at the time of executing the work in consequence of the reports of coal and minerals having been found upon the lands to be surveyed I not only invited myself but also requested the members of my party to do so, and inform me should they see coal or mineral signs. I can now myself within the limits of the survey - nor did any of the party, as so stated in my field-notes. I did not however regard our running the lines without seeing coal or minerals as conclusive that [illegible] but from the general character of the surrounding country it seemed that they might sometimes be found in that portion of the lands surveyed (a small strip) extending North from the North Boundary of the City Plaza Grants over the hills to their foot. This land is of a very rugged character, frequently covered with scrub Cedar and Pinon and cut by many many deep gorges and only by a careful and thorough search over all of it involving much more time than any surveyor could be expected to give could coal or minerals be found if there and their true extent ascertained I mentioned this in the remarks made in my field-notes on file in your office at the conclusion of the general description of the lands surveyed and noted by lines in different tints. The remainder of the lands surveyed is valley land and none part of it has been under cultivation.

Mr Catron is manifestly mistaken in his recollections of the remarks he says he made to me, all that ever passed between us in reference the subject was this during one of our interviews I [illegible]

each time respecting, in effect, that I had not, being engaged upon other work, but that I proceed do so as soon as possible

An entirely erroneous construction is placed by the District Attorney upon the approval of the field notes by Chief Clerk Miller during his the Attorney's absence. Indeed the money due me for the survey had waited some time, and seeing that the accounts of the Surveyor General's Office were paid upon his the Chief Clerk's approval. I urgently requested him to approve my account and forward it to the Commissioner of the General Land Office. He finally consented and did do so, the absence of the District Attorney was not thought of and had nothing to do with the matter. Deputy Surveyor Millison did speak to me with reference to the land surveyed as stated by the District Attorney and may have expressed the opinion that there was coal there, tho of this I am not positive, I am however that I never said to him that I was satisfyed they were coal lands, and that I would so report them. Mr Cannon is I am satisfied again mistaken as to his recollection of what Mr Millison may have said to him - as to the matter of Deputy Millison or others saying that the lands surveyed were coal lands - I cannot believe that I am expected to report officially upon hearsay or the opinions of others, were such the case, in view of the difference of opinion, which seems to exist in this case difficult indeed would be my duty or could I report at all. I am of opinion that some of the parties, positive as to the character of the land are under a misapprehension as to the true location as to the piece of land surveyed. I have been spoken to by parties pretending to claim coal lands, with reference to their claims who believe them to be within my survey, when they were entirely outside of it.

I would also state that I took the contract for that surveying reluctantly, it was a very arduous affair, and that I was much delayed in its execution by the Indians of the Ortiz Mine Grant, not having been correctly set forth on the maps - I endeavored to execute the survey to the best of my ability and report truly thereon, and have made the only report that I could possibly feel justified in making from what I saw, and would most respectfully say that from the character of that report I was somewhat surprised to learn that the Government demanded those lands to be preempted without passing further action thereon.

Very Respectfully your obdt Servt
Wm H. Hill
Dep Surv

~~General and Chief~~
~~Engineer's Office~~
~~Feb. 26, 1962~~

~~(Brevet Brigadier General~~
~~Alfred Mordecai~~
~~Surveyor General~~
~~Santa Fe New Mexico~~

~~Sir:~~

~~In reply to your letter of the 15th instant in reference to the Standard Chains of Measure, I have to say that~~

General Land Office
Washington, D.C.
March 8, 1962.

(Brevet Brigadier General
Alfred Mordecai
U.S. Surveyor General
Santa Fe New Mexico

Sir:

I have the receipt of your communication of the 24th ult. enclosing instructions to the Fort Bayard Military Reservation New Mexico proclaimed by the Honorable Secretary of War March 23, 1861. and stating that the same was almost entirely within the limits of the confirmed private land claims of that Territory.

In reply I have to say that as the reserve was formally made and approved by the Secretary of War the same must be respected so far as the United States lands are concerned and, under existing laws, cannot be disposed of without special legislation of Congress.

Very Respectfully
Your Obdt Servt
Alfred Mordecai

(Mr. Pendleton)
Chicago, Illinois,
March 22, 1893.

Sir:

Your circular of the 20th instant, stating that the Board will hold a hearing in the matter of the application of the Chicago, Rock Island & Pacific Railway Company for authority to issue certain securities, has been received.

In reply I have to say that the application will be presented to the Board at the hearing appointed.

Respectfully,
Chairman.

Chicago, Rock Island & Pacific Railway Company,
Chicago, March 9, 1893.

V. P. 5361

Sir:

Representations have been made to the Board during the past year that discriminations, in favor of the Atlantic seaboard, have been practiced by railroads in respect to the distribution of car mileage, to the prejudice of the Pacific coast roads, and that the Interstate Commerce Commission, in the exercise of the powers conferred upon it by the Act to regulate commerce, should, by the establishment of rules, prevent such discrimination.

The Board has carefully considered the matter, and has come to the conclusion that the Commission has no power to require the distribution of car mileage to be made otherwise than as stipulated in the contracts, or to prescribe rules for the government of the railroads in the premises, except in the case of a common carrier refusing to comply with the provisions of the Act to regulate commerce, or with the lawful orders or requirements of the Commission made thereunder.

The Board, however, is of the opinion that the Commission should, in the exercise of its powers, endeavor to secure a just and reasonable distribution of car mileage, and to that end should require the railroads to furnish to the Commission, from time to time, such information as may be necessary to enable it to ascertain whether the provisions of the Act to regulate commerce are complied with by the railroads in the distribution of car mileage.

Respectfully,
Chairman.

penalty of the law will be enforced against delinquents.
To determine the desired reforms it is necessary to explain
our view of a rigid and exact uniformity in the letting of contracts
[illegible] the evidence of surveys designed after
them;

No one who has had experience knows of regulations or
plans which should be implemented; but some brief remarks
of my professional, building and practical experience would
Evidently prove worthy de referred as general observations, and you
will discern from such comments of their general
obligations which deserved by official Examinations which it
is intended to send into the field for the purpose of ingress
ing the surveys will be furnished to the public as soon
applicable in such cases. It desire to express upon you
and through you, upon your Deputies the necessity
[illegible] with the requirements of law
to embodied in the manuals of surveying Instructions
to persons [illegible] to fifteen (15) specific points. His views
summarized in their definitions, character, measuring and
Instructions. You will therefore issue instructions to your
deputies requiring them to describe lands in their field
notes the various boundaries called for in descriptions
[illegible]
to [illegible] of permanent monuments they may place their
length in feet & fractions of a foot, marked trees in notches, their
depth in the ground, the kinds of monuments described
by the [illegible] the length of the mounds, depth
and dimensions of the pits, which [illegible] should not be
less than twelve inches deep and diverging from inches in
length, by twelve inches in width, the [illegible]
[illegible] bearing trees, distances to the corners, kinds of bearing trees, diameters
[illegible] precise
in that no controversy may exist in the officials of
Deputies in cases where they deem that they have executed
the surveys entrusted for in strict conformity to the laws
of the United States, the local Manuals & Instructions and that
their work the most correct [illegible] by the Deputy Surveyor

[illegible]

[illegible] to [illegible] portions of surveys of
[illegible] lands, and [illegible] the manual [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [

J 34

Surveys of the Manuals, In this connection I have to observe that cases have been brought to the attention of the Department where the considerations for the surveys mentioned in Contracts have not been strictly realized by the Surveyors for the reason that Executive Orders have issued for the Surveying of Surveying Contracts by certain Surveyors General thereby reducing the price per mile to such an Extent as to render it pernicious to the Deputy should he execute his work according to the requirements of his Contract Such reprehensible negociations tend obviously to slighting the work in the field with the expectation that frauds or frauds on the parts of Deputies in making returns of their Surveys will not be rigidly examined into or if discovered will be overlooked in consideration of the bonus paid for the privileges of the contract.

If such be the case in case of the Surveying Districts it is not surprising that Erroneous and fraudulent surveying is found by the Settlers on the Public Lands.

Such practices will not be tolerated and penalties to such arrangements whether Surveyors General or Deputies will be held to a strict account when the facts come to the knowledge of this office.

Trusting that in the administration of affairs in your District these evils may be discountenanced.

I am Sir

Very respectfully
Your obedient servant
Willis Drummond
Commissioner

K. Proudfit
U.S. Surveyor General
Santa Fe N. Mex.

Department of the Interior
General Land Office
Washington D.C.
April 11, 1877.

Wm Cannon K. Proudfit
U.S. Surveyor General
Santa Fé New Mexico

Sir:

I am in receipt of your letter of the 22nd March in reference to the surveys being executed by the Treasury Department in Grant in favor of Solomon Luna U.S. and New Mexico.

In reply I have to advise you that your attention was called to the matter, and it was your duty to investigate it in the manner, and to report your

a copy of that officer's explanation.

I will state further that I can take no action whatever in the case, as it is solely a question between Mr Watts and the U.S. Treasury Department.

Very Respectfully
Willis Drummond
Commissioner

General Land Office
Washington D.C.
April 11. 1873.

Chas M Prindle Esqr.
Surveyor General New Mexico.

Sir:

Your letter of the 2d instant, you enquire whether the certificate of the Surveyor General, attached to a plat of a Mill Site claim, showing that five hundred dollars worth of labor has been expended on improvements made upon said Mill Site.

The certificate attached to plats of either lode claims, placer claims, or Mill Sites, should contain the usual in regard to the value of improvements upon such claim.

Very Respectfully
Your obedient Servant
Willis Drummond
Commissioner

General Land Office
Washington D.C.
April 21. 1873.

C.M. Prindle, Esqr.
(U.S. Surveyor General)
Santa Fe New Mexico.

Sir:

I have to advise you of the following appropriation made by Congress for the Surveying Service in New Mexico during the fiscal year ending June 30 1874.

For Surveyor General of New Mexico three thousand dollars and for the clerks in his office five thousand three hundred dollars.

For rent of office of Surveyor General of New Mexico stationery fuel &c. and office incidentals

Expenses two thousand dollars.

"For the survey of the public lands in New Mexico Territory at rates not exceeding eighteen dollars per linear mile for standard lines, twelve dollars for township, and ten dollars for section lines, five thousand dollars.

The said amounts are hereby placed under your control to be applied in accordance with existing laws.

The selection of the localities to be surveyed is left to your sound judgment and discretion of the demands of settlers and other interests under the laws of Congress.

In your instructions to Deputy Surveyors you will require them in every instance to establish the proper corners in a permanent manner and to describe them fully in their notes. The description "established as per instructions" is not considered sufficient and you will therefore direct them to state in the field notes the size and diameter of the posts, depth set in the ground, or the kind, condition of timber, of the pits, the size of the mounds with the length, width and depth of the pits, which must correspond with the requirements of the Manual of Surveying Instructions.

I am Respectfully
Your Obedient
Servant

Surveyor General's Office, N.M.
April 24, 1902.

Chas. A. Arrott, Esq.
Surveyor General
Santa Fe New Mexico.

Sir:

I acknowledge receipt of your letter of the 12th instant transmitting bonds and bonds as follows, viz:-

No 3 State Official $1,000.00 made by the Fidelity & Guarantee Liability Co. dated April 11, 1902.

No 4 Official $1,000.00 made by the Fidelity & Guarantee Liability Co. dated April 11, 1902.

Both covering the faithful performance of duties as Deputy Surveyor and Deputy Surveying the public lands in New Mexico Territory.

The bonds are returned herewith approved and with the oaths of office duly executed as the law requires

the first day of July next, as the provisions of the act of Congress approved July 12. 1870 Statutes Vol 16. p 251 expressly prohibit the expenditure in any one fiscal year any sum in excess of the appropriations made by Congress for the fiscal year. In this connection I refer you to Circular instructions from this office bearing date August 15. 1870.

The letting of Contracts by Postmasters General prior to the receipt of the official notification of the amounts appropriated for Postmasters is contrary to the regulations of the Department and you will in future abstain from so doing

Annual instructions dated 21st instant were mailed to-day.

Very Respectfully
Wm. D. Simmons
Commissioner

[Circular]

Letter to postmasters, Postmasters General and Postmasters, &c.
April 25. 1873.

To Postmasters, Postmasters and Postmasters General

Sirs:

Under the recent Act of Congress abolishing the franking privilege, no further allowances can be made after July 1. 1873 for postage on official letters, and all mail matter is required to be prepaid by stamps.

You are, therefore, requested to submit to this Office, at the earliest possible moment, an estimate of the number of each denomination of postage stamps that you will probably require for the official correspondence of your office during the quarter ending September 30. 1873, and you are also requested to furnish a like estimate for each succeeding quarter, at least thirty days before the commencement of said quarter.

The denominations of stamps to be furnished the Postmasters are as follows: 1-cent, 2-cent, 3-cent 6-cent, 12-cent, 15-cent 24-cent, 90-cent.

A prompt response to this communication is requested, in order that there may be no delay in supplying the stamps required.

Very respectfully
Wm. D. Simmons
Commissioner

J-38

Department of the Interior
General Land Office
Washington, D. C.
May 1, 1873.

James K. Proudfit, Esq.
U.S. Surveyor General
Santa Fe New Mexico.

Sir:

I am in receipt of your report of the 4th ult, relative to the mineral character of the lands in Tp 14 N. R. 8 E. New Mexico, and in reply to your request for further instructions as to the disposition of the plat withdrawn from the office of the Register and Receiver. I have to say that you are hereby directed to make the same addenda as upon the duplicate plat withdrawn from the local land office and retransmit the same to the Register and Receiver.

I have caused the addenda transmitted to be attached to the duplicate plat and filed note on file in this office.

As you state in your report that the lands are improved and that no declarations or pre-emptions are actually residing or have improvements on the lands, it will be necessary to issue from this office separate instructions to the local Land Officers relative to the manner of the disposition of the lands in this township lying South of Gallister Creek.

Very Respectfully
Your obedient Servant
Willis Drummond
Commissioner

Department of the Interior
General Land Office
Washington D. C.
May 20, 1873.

James K Proudfit, Esq:,
U.S. Surveyor General
Santa Fe. New Mexico.

Sir:

I am in receipt of the returns from your office of the survey of Standard, Meridians and Exterior lines by George H. Pradt Deputy Surveyor successor to J. Hoane Watts.

The diagrams transmitted being of an inconvenient size, you are, hereby, directed in future to construct all maps intended for the files of this office on paper of the size used

for townships plats viz: 19 x 24 inches. The proper form and scale for mapping townships exteriors is illustrated by diagram "A" accompanying the "Manual of Surveying Instructions" which form and scale you will please adopt in making returns of survey of Exterior lines.

Very respectfully
Your obdt servant.
W. W. Curtis
Acting Commissioner

General Land Office
Washington, D.C.
May 24. 1873.

James K. Proudfit Esq.,
U.S. Surveyor General
Santa Fé, New Mexico.

Sir:

I am in receipt of your letter of the 7th instant in regard to Lewis Kingmans account. It appears from your statement, that you have credited your appropriation for "clerical service" with the $40.00 deposited by Mr Pope and have drawn against it (the deposit) for 5 days services at the rate of $1500. per annum and 4 days services against the regular appropriation of $9200.00 at the same rate per annum, making 9 days for which he would be entitled to $37$\frac{08}{00}$ as per the account.

In reply I have to state, that there is no necessity for placing to the credit of your regular appropriation the sums deposited by individuals. Mr Kingmans account cannot be passed upon as presented, for the reason that it is made payable partly out of the appropriation and partly out of deposits. The requirements of the Treasury Department, are that accounts adjusted by this office must be made payable either wholly out of the regular appropriation or wholly out of deposits.

For your future guidance in reference in keeping special deposit accounts, I have to instruct as follows: Whenever a deposit is made, you should record in a book prepared for the purpose, the date of the deposit, name of the depositor, with whom deposit is made, description of survey and amount deposited for same here. Upon completion of the survey for which the survey was made, write immediately opposite such deposit all the cost incident to said survey

or in other words, the cost of the field work and time of draughtsman engaged in protracting and copying notes, as well as the amount to be returned to the depositor if any.

It is not necessary to transmit a separate account for the few days a draughtsman is engaged upon each piece of work. The cost of his time can be easily noted and the various sums occurring for the time engaged upon each claim can be allowed to accumulate, and in case of an emmergency requiring additional help or should the appropriation fall short of the requirements such accumulated sums could then be applied. The forwarding of an account in favor of the depositor only for any balance that may be due him out of the sum deposited for "clerical service" will be sufficient evidence to this office as to the amount that will remain to the credit of the fund created by individual depositors for compensation of clerks. It is thought that four regular draughtsmen can perform all the work attending mining cases, and consequently it will only be necessary to transmit his account quarterly, payable out of the appropriation.

As Mr. Ringgman has been employed temporarily on mining claims and other office work, you are hereby instructed to forward two accounts, stated as follows, one for services from April 2 to 5th 1873, payable out of the regular appropriations, and the other from April 6 to 10th 1873, payable out of Special deposits, both at the rate of $1500 per annum.

You will understand that temporary employment for a few days at a time cannot be discontinued in the future.

Very respectfully
A.N. Curtis
Acting Commissioner

General Land Office
Washington, D.C.
June 13, 1873

Wm James K. Proudfit,
U.S. Surveyor General
Santa Fe. New Mexico.

Sir:

I have to request that hereafter after the survey of any private land claim, in your district, you issue

transmit a sketch of the same to the Register of U.S. Land Office Santa Fe, N.M. for his guidance in the case of applications to enter public land under the Homestead & Pre-emption laws.

Very respectfully
W. Bl. Curtis,
Acting Commissioner

General Land Office
Washington, D.C.
June 23, 1873.

James K. Proudfit, Esq.,
Surveyor General,
Santa Fé, New Mexico.

Sir:

I transmit herewith copies of letters from the Commissioner of Indian Affairs to the Secretary of the Interior dated May 23, 1873, recommending that the President be requested to order certain lands to be withheld from entry and settlement and that the same be set apart for the Mescalero band of Apache Indians in New Mexico; also the Secretary's endorsement of the recommendation of the 26th and the President's order of the 29th ults. together with a diagram representing an approximate locality and extent of the reservation.

You will perceive that the upper part of the Ruidoso river valley is excluded from the reservation with a view of avoiding conflicts with settlements therein. According to the approximate position of the Southwest corner of the Fort Stanton reduced military reservation the line running thence due South seems to coincide very nearly with the meridional line between sections 5 & 6: 7 and 8, 17 & 18, 19 & 20, 29 & 30, 31 & 32 in Township 11 South Range 14 E. You will examine into this matter and if your records will furnish you more approximate locality for the Eastern boundary of the Apache Indian reservation you will cause the proper annotation to be made on the official Map of New Mexico and on plats of Townships 11 South Ranges 13 and 14 already subdivided so that, in the future extension of the public surveys the reservation may be protected from interference.

You lieu of that part of the country limited by "the hills near the South bank of the Rio Ruidoso, thence along said hills to a point above the settlements, thence across said river to a point on the opposite hills, and thence to the same

line upon which we start from Fort Stanton; you will exclude from the reservation so far as public lands have been surveyed the following lands viz:
The S. ½ of Sections 19, 20, 21, 22, 23, & 24 and Sections 31 to 36 both inclusive in T. 11 S. R. 13 E. also the S. ½ of Section 19 and Section 24 in Township 11 S. R. 14 E. but should you find upon consulting the records of the Local Land Office that the foregoing tracts are either short of or do not reach "a point above the settlements" you will designate the true extent of the land excluded from the Mescalero Band of Apaches Indian reservation, and transmit to this office and to that of the Register at Santa Fe authenticated diagrams thereof

Very Respectfully
Your Obedient Servant,
Willis Drummond,
Commissioner.

General Land Office
Washington, D. C.
July 15, 1873.

James K. Proudfit, Esq.,
U. S. Surveyor General
Santa Fe New Mexico

Sir:-

I am in receipt of your communication of the 28th ult., transmitting the account of Chas. White, Deputy Surveyor amounting to $5006.64 for meandering the Rio Pecos, Extending the Second and Third Standard Parallels South and East embracing Exteriors between said Standards and subdividing Tps 12 S. R. 25 E. and Tp 13 S. R. 26 E. also a letter from deputy White dated April 18, 1873. explaining the reasons for certain irregularities together with your recommendation that the account be paid.

I regret I have to say that after a critical Examination of the plat and field notes of survey I find the survey of Exterior lines to have been made by Chas. White without regard to the requirements of the Manual of Surveying Instructions (pp 21 & 24) which was made a part of his contract.

He should, after having established the Third Standard have taken the Standard as a basis for his surveying operations and run his Exteriors from it north and west closing his lines upon the Second Standard or upon the surveys previously made, subject to any Embarrassment which may have been

found in such previous work.

Any instructions written or verbal by you to a deputy directing a survey to be made in such a manner as that done by Mr. White being contrary to the manual and in opposition to law cannot be recognized by this office. The exteriors having, erroneously, been extended from the North Southward of course the subdivision of the two townships based upon such exteriors is incorrect. The meandering by Deputy White of the Rio Pecos a stream not navigable is in direct violation of the Manual of Surveying Instructions (p.5 Ed. 1855 and p. 9 Ed. 1871), unless the same had been considered as a boundary of his surveying operations. The establishment of the Second and Third Standards South by Mr White will be paid for, to the extent of 68 mi. 40 chs at $15 per mile. The Exterior boundaries, subdivisional work and meander lines cannot be paid for until established in accordance with law and instructions.

You will direct the deputy to examine the field obliterate evidences of wrong surveys already made and establish the lines in conformity to law, taking as a basis the Third Standard parallel South. The Rio Pecos not being navigable should not be meandered but the lines extended across the same by triangulation, if necessary. You will recall the plats of T 12 S. R. 25 E. and T. 13 S.. R. 26 E. from the Local Land Office if the same have already been sent there by you.

Very respectfully,
Willis Drummond,
Commissioner.

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General Land Office
Washington, D. C.
July 16. 1873.

J. K. Proudfit, Esq'r,
U.S. Surveyor General
Santa Fe N.M.

Sir:

It has become necessary, in explification of letter of instructions from this office bearing date April 9, 1873. to require Surveyors General, when forwarding surveying contracts for approval, with parties who have not been previously employed as deputies, to state.

explicitly in each and every case the qualifications of the deputy named in the contract for the peculiar service, whether he is thoroughly familiar with the requirements of the Manual of Surveying Instructions and when, where, in what capacity and in whose employment he obtained a practical knowledge of the U.S. Surveying System.

Please acknowledge the receipt hereof.

Very respectfully

Willis Drummond,

Commissioner.

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[CIRCULAR.]

# INSTRUCTIONS

TO THE

## UNITED STATES SURVEYORS GENERAL OF PUBLIC LANDS.

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DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
*Washington, D. C., July* 24, 1873.

The attention of this office has been recently called, by a United States deputy surveyor operating in a region remote from timber and destitute of stone, to the method of establishing corners of the public surveys by mounds of earth and pits, with deposits of charcoal, marked stone, or charred stake, one or the other of which is required by the printed Manual of Surveying Instructions to be placed in the earth at the point of a corner. These mounds being devoid of description of township, range, and section, are of but little use to the settler in describing his claim.

The Department, realizing the defect in the Manual in this particular, and deeming it of importance, has concluded to rectify the omission by prescribing the following additional requirement in surveying public lands of the character in question:

In addition to the manner of establishing corners of public surveys by mounds of earth with deposits at the point of the corner, deputy surveyors are required to drive in the center of one of the pits at each section and township corner, sawed or hewed stakes not less than two inches square and two feet in length, said stakes to be marked in the manner prescribed in the Manual for marking corner-posts, and to be driven one foot in the ground. At corners common to four townships or sections the stakes are to be driven in the pit southeast of the mound, and at corners common to two townships or sections they are to be driven in the pit east of the corner. *This requirement does not apply to quarter-section corners.*

These Instructions will apply to and accompany all contracts entered into subsequent to the receipt hereof.

Very respectfully,

WILLIS DRUMMOND,
*Commissioner.*

General Land Office
Washington, D.C.
July 20. 1873.

James K. Proudfit, Esq.,
U.S. Surveyor General,
Santa Fé New Mexico.

Sir:

For your information I transmit herewith a copy of a letter dated 16th inst, addressed by this office to Perry E. Brocchus Esq. in reference to the private land claim of E. M. Eaton et. al. in N.M. together with a copy of a letter dated 27th July, 1871. addressed to Messrs Barlow, Sandegue & McFarland of New York by the Hon. C. Delano Secretary of the Interior.

Very respectfully
Your obedient Servant.
Willis Drummond.
Commissioner

General Land Office
Washington, D.C.
August 16. 1873.

Sir:

I have to acknowledge the receipt of your letter of the 31st ult. transmitting the accounts of Chrisman & Veeder for surveying articles furnished your office.

In reply I have to say that it appears upon the face of the accounts that the Articles were purchased within the fiscal year ending June 30. 1873. and of course should have to be charged against the Appn for "Instruments &c" of your office for that year. But as that appropriation is exhausted, no payment can be made until an Appn is made by Congress to cover the deficiency.

In reference to our annual instructions of April 28. 1871, you will find that particular directions were given not to exceed the Appn for Surveys, Clerical service and incidental expenses. These instructions have not been complied with from the face of your returning this voucher of $ 137.44 which exceeds the appropriations $ 37.38. and which is an direct violation of law.

It is noted that the 10 men were employed for one day of July and are entitled to until the 31st

of the same month. This is contrary to the rules of this office as all lists are matter of such nature as under section 2 certain quarter must be certified to and forwarded at the end of that quarter.

I have therefore to direct that greater caution should be exercised in the future in carrying out the instructions and rules of the office treating upon this subject.

Your respectfully
Willis M. Woodhull,
U. S. Surv. Gen.
Santa Fe, N. Mex.

General Land Office
Washington, D. C.
September 16, 1873.

James K. Proudfit,
U. S. Surveyor Gen.
Santa Fe, New Mexico

Sir:

I am in receipt of your communication of the 28th July explaining the surveys of Deputy Surveyor Wm. Wells, rejected by letter of 15th July last and requesting a reconsideration of my decisions.

In reply I have to say that I have re-examined carefully the plats and notes of survey in connection with your letter giving precedents and other data, in explanation of the survey and have to say that I cannot consistently and with a due regard to the public interest change my decission as communicated to you in my letter of the 15th of July last.

You had no right whatever to give the Deputy directions not in accordance with law and the Manual of surveying instructions, and he had no right to follow such instructions if issued, as his contract requires a survey in accordance with the Manual and I cannot rightfully or properly approve as a survey not made correctly. If you have misled the Deputy by unauthorized and improper instructions it is for you to determine whether you will pursue the course to save the Deputy harmless, but I can do no less than require a correct survey.

Very respectfully
Willis M. Woodhull,
Commissioner.

"Circular"

General Land Office,
Washington, D.C.
November 7, 1873.

James K. Proudfit,
U.S. Surveyor General
Santa Fé, New Mexico,

Sir:

Owing to the too frequent delay in transmitting certificates of deposits to this office and the Treasury Department, and to the fact that some depositors filed with Registers of the local offices original certificates, the following rule will be strictly adhered to by you in all cases of deposits.

At the time an applicant is informed of the amounts necessary to be deposited to defray the expense of a survey, you will be particular to advise him that the original certificate of deposit must be forwarded by him immediately upon its receipt, to the Secretary of the Treasury, and in no instance be filed with either the Surveyor General or Register of a local office, as has been the practice.

The duplicate certificate to be furnished you at the same time the original is transmitted to the Treasury and the only one you are authorized to receive must be forwarded by you immediately upon its receipt, to this office.

This receipt hereof you will please acknowledge.

Very respectfully
Willis Drummond
Commissioner.

General Land Office,
Washington, D.C.
November 11, 1873.

U.S. Surveyor General
Santa Fé, N.M.

Sir:

I have had under consideration the record in the case of the Private Land Claim of E. W. Eaton et. al. in New Mexico, confirmed by the Act of Congress approved June 21, 1860, (12 Stats. p. 71) a survey of which claim was made by U.S. Deputy Surveyor Pelham and delineated and the plat and field-notes thereof, approved January 12, 1871, by the Surveyor General of the United States for New Mexico.

In connection with the investigation it will be necessary to refer to the papers upon which same was made.

From the foregoing it appears that a grant with conditions was made by the Mexican authorities and that possession was given, and the land granted, divided to Domingo Fernandez and twenty five other persons: The record also shows that subsequently Fernandez informed the Political Chief that his co-grantees had failed to comply with the condition of the grant, and requested him to order the justices either to compel them to perform the said conditions or, if any of them were not disposed so to do to compel them to resign their rights in this grant in favor of those who remained, or other persons, whom he (Fernandez) knew to be industrious. On the 2d of September 1829, Chaves directed the constitutional justice of Santa Fe, to cause the individuals of whom Fernandez complained to present themselves, "and" say the record" in case they do not proceed to cultivate the land they will be immediately expelled from the tract and industrious individuals will be substituted in their place who may require lands for cultivation". The record however, does not show that the justice took any action in the matter or that any of the grantees as aforesaid were dispossessed.

On the 20th of January 1857, Fernandez conveyed all his interest in this grant to Alex. W. Reynolds and Ethan W. Eaton, and in June 1858, by Sheriffs deed and by quit claim deed dated January 3d. 1854 from A. W. Reynolds, Eaton acquired all the interest of said Reynolds in the claim aforesaid.

On the 22d. of July 1854, Eaton by his Attorney, petitioned the U.S. Surveyor General for New Mexico for the confirmation of this grant, and on the 16th. of September 1857, that office recommended that Congress confirm the claim, the recommendation being as follows. "The grant is therefore deemed a good and valid one and confirmed to E. W. Eaton as the assignee and legal representative of Domingo Fernandez, and to the remaining original grantees who have not forfeited their rights to the same by a non-compliance with the conditions of the grant, and is transmitted for the action of Congress in the premises". Congress, however took no action upon the recommendation until the Act of June 21, 1860, (12 Stats p 71) when it was enacted "That the private land claims in the Territory of New Mexico as recommended for confirmation by the Surveyor General of That Territory" +++ "and the claims of E. W. Eaton" +++ be and the same are hereby confirmed"

"Now it will be observed, that the Surveyor General recommends that Eaton be confirmed only as the "assignee and legal representative of Fernandez, and that he likewise recommends that the title of each of the twenty five co-grantees

with Fernandez as had not forfeited their rights by a non-compliance with the conditions of the grants also be confirmed: and it will further be observed that Congress, by the act aforesaid, did not carry out the recommendation in favor of the said Twenty-five co-grantees, but in this case only confirmed by said act the claim of E. H. Eaton and this too, not such a claim as he may by possibility have set up in the record, or proven to have acquired by any means other than by conveyances directly from or leading back to Fernandez but only such a claim as was "recommended for confirmation by the Surveyor General", to wit, as the "assignee or legal representative of Domingo Fernandez". The validity of Fernandez title in this case is admitted, and, in any opinion the action of Congress upon the recommendation of the Surveyor General in effect acknowledges the validity of Fernandez deed of January 20, 1851, and of the mesne conveyances from Fernandez to Eaton so far as to enable us to adjudge without further remark that by virtue thereof Eaton was confirmed in his title to all this tract which the record shows was granted to the said Fernandez. That he could not acquire a greater estate under a confirmation to him as the "assignee and legal representative" of Fernandez is evident.

The extent of Fernandez interest has already been shown. We have seen that he petitioned for the whole tract as donation; that no grant was made on that petition; that he subsequently petitioned for the same tract for himself and thirty other persons; that the land petitioned for was granted by the provincial deputation to the "petitioners", and that possession was given to said petitioners of the said tract, the boundaries, being on the East La Bajada Spring; on the West "opposite the middle cresten"; on the South "the Bajadas de los Comanches" and on the North "the summit of the Cresten" of which land that from "the mesita of the Sagunitas" upwards as far as the Spring of La Vaca (or Baca) under the boundaries of the grant was assigned to Domingo Fernandez". The record nowhere shows that Fernandez acquired any further interest in any other land. It is true he informed the Political Chief that his co-grantees would not comply with the conditions of the grant, and it is also true that the constitutional Justice of Santa Fe, was directed to take the proper action in the matter but the record does not show that such action or any action was taken by which the rights of such co-grantees were divested; and even if the title of the cograntees have been declared defeated by their non-compliance with the conditions of the grant to them it does not

appears that Fernandez would have granted an interest in any land other than that originally granted to him, for in his cross-complaint to the District Court he says that the delinquent grantees be either compelled to perform the conditions or resign resign their rights to other persons whom he (Fernandez) knows to be industrious; and the Constitutional Justice was duly directed in this case so far as the record shows, to cause the individuals complained of to forever desist and if they should not cultivate the land to substitute in their place other individuals" who may require lands for cultivation.

I am therefore of the opinion and so decide that the only title or interest which the record shows Fernandez had in this tract, and under the confirmation the only part which Salon can now make as his own or legal representative, bounded as follows, "from the cienegita of the Aqua Caliente towards as far as the Spring of Sta Rosa, under the boundaries of the grant" which said boundaries are given as "on the North the summit of the mountain", on the East the "Spring of Sta Rosa" and on the West "to beside the middle creek".

The description contained in the papers in this case is not sufficient to enable this office to define with accuracy the location of all the natural objects as above given, and you are therefore hereby directed to give notice to all the parties in interest that they will be allowed sixty days from such notice within which to appear before you and submit such testimony as to the location of the "cienega de la cienega", the "creeks" and the mouth the "mesita of the Aqua Caliente" and the "Spring of Sta Rosa", and also as to the shape of the tract as the same was altered by agreement to Commissioner Kennedy. The testimony thus filed will be forwarded by you to this office and thereafter you will be directed to cause a survey of the said tract after notice to the parties in interest and an opportunity given for appeal to the Secretary of the Interior.

If however, during the sixty days notice as aforesaid the testimony be filed with you, then you will cause an examination of the natural objects as above described and report to this office in case of such examination such other information which you may have relative to the boundaries of the said tract.

Very respectfully

Willis Drummond

Commissioner

Register's Court Case
Herrington, N.Mex.
November 5, 1873

James M. Pinnafin,
Surveyor General, New Mexico

Sir:

The plats and field notes of survey of the San Ygnatio Mine New Mexico have been received.

It is observed that no number was given to the survey.

The survey of mining claims must be designated by a progressive series of numbers, beginning with Lot No. 37 in each township, so as to avoid interference in that respect with the regular rectangular series of numbers. If the survey of the San Ygnatio Mine was the first survey of a mining claim in the Township where such claim is situated, the survey should be designated as "Lot No. 37"

You will furnish the Register of the Land office at Santa Fe, with a copy of the plats and field notes transmitted with your letter of 14th July last.

Very respectfully
Willis Drummond.
Commissioner

General Land Office
Washington, D.C.
November 29, 1873.

James M. Pinnafin.
Surveyor General, Santa Fe, N.Mex.

Sir:

Referring to my circular letter of 22nd October last I have to advise you that the instructions therein are not to be considered as obliging to lands surveyed within Indian reservations or the lands embraced by such surveys are not subject to disposal by Registers and Receivers

You will therefore forward the returns of such surveys and the accounts of the fees as soon as they are in proper form for transmission to this office.

Very respectfully
Willis Drummond
Commissioner.

554

Department of the Interior
Washington, D.C.
December 19, 1873.

From and after the 1st day of January, 1874 the absence from his post of duty of any territorial or other officer under the control of this Department, without official permission, will be accepted as a tender of his resignation and will be acted upon accordingly.

Any officer asking leave of absence will accompany his request with a statement of the cause for making such request.

The frequent and, as it is believed, often unnecessary absence of officers under the control of this Department from their posts of duty, with or without leave, has occasioned such inconvenience and detriment to the public service as to render this order imperatively necessary.

C. Delano,
Secretary.

General Land Office
Washington, D.C.
December, 4. 1873

James K. Proudfit.
Surveyor General Santa Fé, N.M.

Sir

Representations having been made to this office by Surveyors General and deputy surveyors of the great inconvenience and suffering caused by the application of our circular letter of October 22d. 1873 governing the transmission of duplicate plats of survey, until verification thereof had been sent to the Local Land Offices to cases where the work has already been completed, you are hereby authorized to cause returns of surveys for settlements of Deputy surveyors accounts which are now and will have been returned to your office prior to the first day of January next. without sending duplicate plats, merely supplying their places temporarily by rough authenticated diagrams showing distances run in the field.

On and after the 1st. day of January next, the instructions of 22d of October must be carried out in every particular

Very respectfully
Willis Drummond
Commissioner

(N.)

# Department of the Interior,

## GENERAL LAND OFFICE,

WASHINGTON, D C, *November* 20, 1873.

SIR:

Information has reached this Office that deputies, in surveying mining claims, are in the habit of following the direction of the parties in interest instead of adhering to the lines established in the original location of such claims, and thus in effect making a private instead of an official survey.

Under all laws and regulations, whether local or general, the location of a claim in such a manner as to give notice to all the world of the nature and extent of the same is not only indispensable, but in most cases mining claims are initiated thereby, and all subsequent proceedings are based upon and must conform to such location.

A failure to make and record the location in accordance with the law and regulations in force at the date of the location will defeat the claim, and if it is not made with such definiteness as to operate as notice to all persons seeking to acquire rights to mining lands it will be void for uncertainty.

It follows, therefore, that in making surveys of mining claims it becomes essentially necessary to ascertain the boundaries thereof as established by the original location, for the rights of the claimant are limited and defined by such boundaries.

To make a survey in accordance with other lines or boundaries is tantamount to making a new location of the claim, and the rights of adjoining locators who have complied with the requirements of the law may be interfered with and defeated thereby.

The practice of making surveys according to the dictation of parties in interest, instead of in accordance with the original location, has already caused great confusion and been productive of great injury to *bona fide* claimants.

You will therefore require the applicant for a survey to furnish a copy of the original record of location, properly certified to by the recorder having charge of the records of mining locations in the district where the claim is situate, and cause all official surveys of mining claims to be made in strict conformity to the lines established by the original location as recorded; and if the records of locations made *prior* to the passage of the mining act of May 10, 1872, is not sufficiently definite and certain to enable the deputy to make a correct survey therefrom, he should, after reasonable notice in writing, to be served personally or through the United States mail on the applicant for survey and adjoining claimants whose residence or post-office address he may know or can ascertain by the exercise of reasonable diligence, take the testimony of neighboring claimants and other persons who are familiar with the boundaries thereof as originally located and asserted by the locators of the claim, and after having ascertained by such testimony the boundaries as originally established he should make a survey in accordance therewith, and transmit full and correct returns of survey, accompanied by the copy of the record of location, the testimony, and a copy of the notice served on the claimant and adjoining proprietors, certifying thereon when, in what manner, and on whom, service was made.

The act of Congress of May 10, 1872, expressly provides that "the location must be distinctly marked on the ground, so that its boundaries can be readily traced," and "that all records of mining claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims, located by reference to some natural object or permanent monument, as will identify the claim."

These provisions of the law must be strictly complied with in each case to entitle the claimant to a survey and patent, and therefore should a claimant under a location made *subsequent* to the passage of the mining act of May 10, 1872, who has not complied with said requirements in regard to marking the location upon the ground and recording the same, apply for a survey, you will decline to make it.

The only relief for a party under such circumstances will be to make a new location in conformity to law and regulations, as no case will be approved and patented by this Office unless these and all other provisions of law are substantially complied with.

If the law has been complied with in the matter of marking the location on the ground and recording the same, and any question arises in the execution of the survey as to the identity of monuments, marks, or boundaries which cannot be determined by a reference to the record, the deputy should take testimony in the manner hereinbefore prescribed for surveys of claims located *prior* to May 10, 1872, and having thus ascertained the true and correct boundaries originally established, marked, and recorded, make the survey accordingly.

You will at once issue instructions to your deputies, requiring them to abandon the practice of surveying mining claims under the direction of parties in interest, and to conform to the rule as hereinbefore prescribed.

From an examination of the returns of surveys of mining claims I am satisfied that in many instances the deputy surveyors certify to the value of improvements without ascertaining whether such improvements are made by the claimant or his grantors, or not.

No improvements should be included in the estimate unless they have been made by the applicant for survey or by those from whom he derives title

The value of improvements made upon other locations, or by other claimants, should not be taken into consideration, but excluded by deputies in their estimate of improvements upon the claim.

You will so instruct your deputies, and hereafter require them to certify in each instance that the improvements and expenditures considered by them in their estimate, and which they must describe in their report, were made by the applicant or by the persons from whom he derives title.

The following certificate will be attached to the transcript of the field-notes of survey by the Surveyor General: [Reading]

"I certify that the foregoing transcript of the field-notes of the survey of the 1 mining claim, situate in 2 mining district, county of 3, and 4 of 5, has been correctly copied from the original notes of said survey on file in this office; that said field-notes furnish such an accurate description of said mining claim as will, if incorporated into a patent, serve fully to identify the premises; and that such reference is made therein to natural objects and permanent monuments as will perpetuate and fix the *locus* thereof.

"I further certify that the value of the labor and improvements upon the said 6 claim, placed thereon by the claimant and his grantors, is not less than five hundred dollars, and that said improvements consist of [illegible] I further certify that the plat thereof filed in the United States land office at 9 is correct and in conformity with the foregoing field-notes.

"———,
"U. S. Surveyor General.

"U. S. Surveyor General's Office,
"———, ———, 187 ."

The following certificate will be indorsed upon each plat by the Surveyor General, viz:

"The original field-notes of the survey of the ———, from which this plat has been made, have been examined and approved and are on file in this office, and I hereby certify that they furnish such

an accurate description of said ——— mining claim as will, if incorporated into a patent, serve fully to identify the premises; and that such reference is made therein to natural objects and permanent monuments as will perpetuate and fix the *locus* thereof.

"I further certify that the value of the labor and improvements upon the said mining claim, placed thereon by the applicant and his grantors, is not less than five hundred dollars, and that said improvements consist of—(Here describe the improvements made by the applicant or his grantors upon the claim.) And I further certify that this is a correct plat of said ——— mining claim or premises, made in conformity with said original field-notes of survey thereof.

"———— ————,
"*U. S. Surveyor General*
"*for* ————.

"U. S. SURVEYOR GENERAL'S OFFICE,
"————, ———— ——, 187 ."

You will acknowledge the receipt hereof, and issue the necessary instructions to your deputies to secure a strict compliance with the foregoing instructions.

Very respectfully,

WILLIS DRUMMOND,
*Commissioner.*

U. S. SURVEYOR GENERAL

556

General Land Office
Washington, D.C.
January 22, 1874

J. K. Proudfit,
Surveyor General
Santa Fe, N.M.

Sir:

Referring to my letter to your predecessor dated 14th November 1871 directing the numbering of fractional lots in certain townships. I have now to say that there are on file in this office a number of township plats from your District upon which the lots have not been numbered.

Upon the receipt hereof you are requested to cause an examination of the original plats in your office in connection with the triplicates in the Registers office, and where not already done, to number all fractional lots not yet numbered of in the manner prescribed in Circular from this office dated 28 July 1866.

Where the original plats shall have been amended you will cause the triplicates in the Registers office to be numbered in like manner and you will transmit to this office authenticated skeleton diagrams showing the amendments so that the plats in this office may be made to correspond with the originals and triplicates. Where the townships are fractional the numbering proceeds in regular order along the northern and western boundaries of the townships one diagram may be made to answer for several townships by mentioning in your certificate the townships which are numbered in a similar manner.

You will of course make no change in those townships where the lots were numbered according to the system in vogue prior to the date of the Circular above referred to.

You will instruct your Surveyor not to omit the numbering of lots upon the plats of future surveys.

You will forward amended diagrams of the following named townships at the earliest practical date

Tps. 22 & 23 S. R. 18 W.
Tps. 19, 22 & 23 and 24 S. R. 19 W.
Tp. 19 S. R. 20 W.
Tp. 10 N. R. 29 E.
Tp. 9 N. R. 32 E.

Very respectfully
Your obt. servt.
Willis Drummond
Commissioner

257

General Land Office
Washington, D.C.
January 28. 1874

James W. Woodis,
Surveyor General
Santa Fe, New Mexico,

Sir.

I herewith transmit copy of the decision of the Secretary of the Interior bearing date of December 31, 1873. in regard to the Baubien and Miranda private land claim No. 15 confirmed by Congress June 21. 1860 (Statutes at Large Vol 12 page 71- As the claimants have withdrawn their whole deposit and refuse to comply with the terms of the decision you will regard and treat the lands claimed by them as public lands, and extend the public surveys over the same,

I inclose herewith a diagram of New Mexico whereon are laid down approximately the limits of the grants as claimed by the grantees for your information

You are requested to acknowledge the receipt of this. at your earliest convenience.

I am very respectfully
Your Obedient servant
Willis Drummond.
Commissioner.

Chief of Bureau of the National Board Office
Washington, D.C.
October 22, 1873.

James M. McNeely
U.S. Surveyor General
Santa Fe, New Mexico.

Sir:

Hereafter, instead of transmitting duplicate plats of surveys to the District Land Offices at irregular intervals, you will transmit them on the first day of each month after having designated the plats to be transmitted, in a notice which you will cause to be published four consecutive weeks in a newspaper of general circulation published in the County where the Surveyor General's Office is located, and if the land office is not in the same County, in a newspaper of general circulation published in the County where the District Land Office is located. The last insertion to be at least ten days before the time fixed for filing such plats in the District Land Office and, instead of forwarding the duplicate plats of surveys to this office you the same day that the duplicate plats are forwarded to the District Land Office you will retain the duplicate plats in your own office until you receive the Register's receipt for the duplicates, and note, upon each duplicate, the time when the corresponding duplicate was filed in the District Land Office as per the Register's receipt, referring to the same by date.

You will transmit to this Office with the duplicate plats an arranged copy of the paper for each week and at the end of each quarter you will also forward corresponding printed notices with the usual proof of publication with an duly certified account as vouchers the expense attending such publication to be paid out of the contingent fund of your office.

It having been brought to the attention of this office, that in some instances Surveyors General have, in violation of instructions, transmitted to the proper District Land Offices at the time the duplicates were forwarded to this Office, you are hereby directed and required, to transmit all duplicates then remaining by you to the proper Land offices as the case may be immediately after publication as above.

This order will not be so construed as to interfere with or revoke any order suspending pleas for any reason.

The receipt hereof you will please acknowledge.

Very Respectfully
Willis Drummond,
Commissioner.

Department of the Interior,
General Land Office,
Washington, D.C.
Feby. 6th, 1874.

James K. Proudfit Esq.
U. S. Surveyor General
Santa Fe, New Mexico:

Sir:

Upon the receipt hereof, you are directed, in forwarding accounts for surveys, salaries and incidental expenses, to require every letter to state, over his signature in the account, to what address, or in whose care draft shall be transmitted. If, however, it is impossible in any instance to carry out this requirement, you are directed to do so over your signature.

Please acknowledge receipt.

Very Respectfully
Willis Drummond
Commissioner.

Department of the Interior,
General Land Office,
Washington, D.C.
February 17, 1874.

James K. Proudfit Esq.
Surveyor General
Santa Fe, New Mexico.

Sir: I send you, herewith enclosed, for your information, a copy of an Executive order dated February 2, 1874, cancelling the order of the 29th of May last setting apart for the Mescalero Apache Indians certain lands in the Territory of New Mexico, and setting apart for the use of said Indians a reservation described in the enclosed copy of Executive order changing the limits of the reserve as formerly declared.

I have to direct that you will have drawn a diagram illustrating the reservation as now declared, and furnish the Register and Receiver of the proper local land office with a copy of the diagram, and description of the reservation as contained in the Executive order.

You will also direct the Register and Receiver to respect

See letter Oct. 24, 1874.

560

the reservation in protecting the lands from any interference.

Very respectfully
Your obedient servant
Willis Drummond.
Commissioner.

Department of the Interior
General Land Office.
Washington, D.C.
March 7th, 1874.

James H. Proudfit Esq.
Surveyor General
Santa Fe, New Mexico.

Sir: Referring to my letter of 3d June last directing in transfer, within any private land claim was surveyed in your district, to forward a certified copy of the same to the Register of the U.S. Land Office at Santa Fe N.M. for his guidance in the case of application to enter public lands under the Homestead and Preemption laws, I now have to direct that when certified copy you will furnish said Register with of any private land claims which may have been heretofore surveyed and are not noted on the township plats on file in the Register's office.

Very respectfully your obedient servant
Willis Drummond
Commissioner.

Department of the Interior,
General Land Office,
Washington D. C.
March 7, 1874.

James H. Proudfit Esq.
Surveyor General Santa Fe, New Mexico.

Sir: For your information I transmit herewith a copy of the decision of the Hon. C. Delano, Secretary of the Interior in regard to the claim of Salazar for the Pino Blanco private land claim known as "the Mayo" Survey No. 8 by the act of Congress approved March 21, 1864 (Stat. 2 p. 7) and also of the decision of the Hon. J.A. Smith Asst. Atty. General, and the Hon. Geo. H. Williams, Attorney General said decision being referred to the Secretary.

Very respectfully
Your obedient servant,
Willis Drummond
Commissioner.

Ex 61

Department of the Interior
General Land Office
Washington. D.C.
"Hand Book" March 18th 1874.

James K. Proudfit Esqr.
Attorney General
Santa Fé, New Mexico.

Sir; Enclosed herewith a copy of an Executive order dated March 20th 1874. withdrawing from sale and settlement a tract of land in the Territory of New Mexico, for the use of the Jicarilla Apache Indians.

You will protect the boundaries of the said tract in the future extension of U.S. surveys in its locality, and notify the Proper Register and Receiver of its reservation.

Very Respectfully
Willis Drummond.
Commissioner

Department of the Interior,
General Land Office,
Washington, D.C.
April 20, 1874.

James K. Proudfit
Attorney General
Santa Fé, New Mexico.

Sir: I am in receipt of your letter of the 31st ultimo, replying to letter from this office dated 7th same month directing you to furnish the Register at Santa Fé with sketches of private claims

You state that having consulted with the Register you think that a better plan of arriving at the result desired by the Regulation viz: the ascertaining of the fractional lots outside of and adjoining grant lines, would be to delineate the lines on the plats of subdivided townships in this office and do the same hereafter in cases of grant lines crossing subdivided townships.

You also inquire whether these lots should be numbered and areas calculated, and you request to be advised which of the surveys of confirmed private claims in New Mexico have been finally approved, and whether the Register is to be furnished with the lines of those claims which have not been finally approved.

In reply I have to say that the object this office had in view in giving you the instructions of the 7th March last was that the Register should be furnished with sketches of

private claims so that he should refrain from allowing any entries on any of the lands within the limits of these claims and not that he might be enabled to allow entries of lots adjoining these lines and just outside of the same. You will, therefore, when any private claim is surveyed by you, without waiting for its final approval, furnish a sketch of the same to the Register that he may protect the tract from interference by outside parties. The fractional subdivisions just outside of these lines should not be disposed of until the claim has been finally adjudicated.

Inclose herewith a list of the claims which have been approved by this office.

Very Respectfully,
Willis Drummond,
Commissioner.

Department of the Interior
General Land Office
Washington, D. C.
June 5, 1874.

James K. Proudfit, Esq.
U. S. Surveyor General,
Santa Fé, New Mexico.

Sir: I return herewith the original field-notes, the transcript of same, and the plat of the survey of the Los Trigos grant in New Mexico, as I feel unwilling to approve the said plat owing to the discrepancy in the description of one of the courses, and have to request that you notify the grantees in interest that they will be required to deposit a sum sufficient to enable you to send a Deputy into the field and make such a survey of said grant as you can approve.

After the completion of the work you will make the usual return to this office and also return the plat of survey herewith.

In the meantime please acknowledge the receipt of this letter.

Very respectfully
Your obed't servant
S. S. Burdett,
Commissioner.

Department of the Interior
General Land Office,
Washington, D.C.
June 10, 1874.

James K. Proudfit, Esq.
Surveyor General
Santa Fé, New Mexico.

Sir: I transmit herewith for your information and the files of your office a copy of a diagram with Executive order engrossed thereon, dated April 9, 1874. withdrawing from sale and reserving for the use of such Indians as the Secretary of the Interior may see fit to locate thereon, a tract of country, (indicated on diagram) in the Territory of New Mexico, called "Hot Springs Indian Reservation".

On the future extention of the public surveys in the vicinity, you will cause the boundaries thereof to be duly respected.

Very respectfully
Your obdt. servt.
S. C. Stewart,
Commissioner

Department of the Interior,
General Land Office,
Washington, D. C.
July 7, 1874.

J. K. Proudfit, Esq.
Surveyor General
Santa Fé New Mexico.

Sir: I have to advise you of the following abbreviations made by Congress for the surveying service in New Mexico during the fiscal year ending June 30, 875 to wit:—

"For compensation of the Surveyor General of the Territory of New Mexico three thousand dollars; and for the clerks in his office six thousand three hundred dollars.

For rent of office of Surveyor General of the Territory of New Mexico, fuel, books, stationery and the other incidental expenses two thousand five hundred dollars.

For surveying the public lands in New Mexico Territory at rates not exceeding fifteen dollars per linear mile for standard lines, twelve dollars for township and ten dollars for section lines thirty thousand dollars.

"The said amounts are hereby placed under your control to be applied in accordance with the laws and regulations governing the surveying service, and you will at once proceed

July

with the letting of contracts - see telegram of 30th ultimo.

It is expressly declared in the seventh section of the Act of July 12, 1870, that no more money than that appropriated shall be spent and that the Government shall not be involved in any contract for the future payment of money in excess of such appropriations. In order, therefore, to avoid an excess of the appropriation and thus obviate the necessity by submitting deficiency estimates you will let contracts to the extent of twenty-eight thousand dollars only, retaining the remainder of the appropriation, two thousand dollars, to meet any unforseen excess of contracts which may arise. If it should be ascertained before the close of the fiscal year that the contracts do not exceed the amounts estimated or that the amount retained is more than sufficient to meet the excess, the balance may then be used.

The selection of the localities to be surveyed is left to your sound judgment and knowledge of the demands of settlers and other interests under the laws of Congress.

Your attention is called to special instructions of April 9, 1873, and to printed circular of July 24, 1873, relative to the manner of establishing corner boundaries.

By Act of Congress approved March 3, 1874, all that part of New Mexico south of the Base Line is created a separate Land District to be called the La Mesilla Land District.

Very respectfully
Your obdt. servt.
S. S. Burdett.
Commissioner.

Department of the Interior,
General Land Office,
Washington, D.C.
July 22, 1874.

James L. Proudfit Esq:
Surv. Gen. Santa Fé, N. Mex:

Sir: I am in receipt of your communication of the 11th instant requesting a copy of the last official Register which I regret my inability to send as only one is allowed for the use of this Bureau and application for same should be made to the Hon. Secretary of the Interior.

Respectfully
S. S. Burdett.
Commissioner.

Department of the Interior,
General Land Office,
Washington, D.C.
July 20, 1874.

Sir: Referring to the hardships to Deputy Surveyors in the delay caused in the settlement of their accounts, to the additional labor imposed upon your office in the double working of field notes; to the large expenditure of public money necessarily incidental to the publication of the notices required to be printed; and believing that the general purpose intended to be subserved by it, are not, and will not be realized, I deem it proper to revoke the circular of instructions of 22d of October, 1873. You will therefore dispose of all plats now ready for transmission, and be guided as to all hereafter prepared, by the rules and regulations in force prior to the said Circular of October 22, 1873. In order that all may be informed of your action, in such cases, you are instructed to "post in a conspicuous place, in your office," on the day of transmission, a list of the plats transmitted, "to be added to" from time to time, as plats are perfected and sent.

That this office may more certainly be informed of the date of the receipt, at the local office, of the triplicate plats, you will transmit to this office, copies of the Registers receipts to you, for such plats as soon as received.

This regulation is not intended to relieve Registers of the duty of informing this office of the date of such filing, but as a means of information, in case of their neglect to do so.

In view of complaints of irregularities in that respect which have reached this office, you are reminded that until completed and filed in the local office, triplicate plats, and the information contained in the field notes, from which they are constructed, are not public property, that to permit their inspection by unauthorized persons, is to give undue advantage to private and speculative interests, and must be strictly guarded against.

The transmission of plats from your office, to the local land office, by hand of private persons, is hereby strictly forbidden. Such plats may, in cases where the office of the Surveyor Gen. and the local land office, are within the same postal delivery, be deposited with the Register by the Surveyor General in person, but in all other cases, such transmission must be by United States Mail.

Very respectfully
C. C. Duncan,
Commissioner.

James K. Proctor Esq.
U.S. Surveyor General.
Santa Fe, N. Mex.

566

Department of the Interior
General Land Office,
Washington D.C.
Sept. 4, 1874.

James K. Proudfit, Esq.
Surveyor General
Santa Fé, New Mexico

Sir:

I am in receipt of your letter of the 22d. ultimo, calling the attention of this office to what you regard as an inadequate appropriation for clerk hire in your office for the current fiscal year and inquiring whether it is proper for you to allow the papers in Spanish and Mexican Land Grant cases to be copied by outsiders or whether you should require a deposit of funds for the purpose and have the work done in your office, also whether it would be proper for you to report as a deficiency for clerk hire the expense of such work.

In reply I have to say that estimates for the survey of private land claims have been submitted this year but until Congress shall appropriate money for that purpose the actual cost of survey and office work are required by law to be paid by the owner. See U.S. Stats. at Large Vol. 12 page 409 section 3.

Instead of allowing outsiders to copy such papers you should therefore require a deposit to be made, have the work done in your office and send the account for the same chargeable to said deposit. In no case are you to report a deficiency for clerk hire.

In reply to your question whether there is any contingent or other fund out of which parties who copied papers last year can be paid I have to say that there is not.

Respectfully
S. S. Burdett.
Commissioner.

567

Department of the Interior
General Land Office
Washington D.C.
October 26. 1874.

James K. Proudfit, Esq
U. S. Surv. Gen.
Santa Fé. New Mexico.

Sir:

I return herewith a Sheet of the survey approved by the Surv. Gen. of N. M. Oct. 16th 1866, containing 35.911 69/100 acres, in the matter of the Spanish land claim, called San Pedro, finally confirmed to Jose Serafin Ramirez, as No. 14 by the Act of Congress approved June 21. 1860, (12 Stats p. 71)

Before finally determining the boundaries of the above grant this office desires information as to the location on the earths surface of the natural objects called for on the south of the addition to San Pedro as described in the petition, dated Nov. 29th. 1845 of Jose S. Ramirez to Gov. Armijo. The location of La Madara on the east & Arroyo Chimal on the north would seem to indicate that the "Lagunitas" formed by their "flowings" were within the boundaries of the original grant by the Prefect in 1839, as revalidated in 1845, in which event an explanation might be found for the following words in the aforesaid petition of Nov. 29, 1845 "being within the grant as expressed in our petition granted in 1840" as well as an explanation for the apparent omission of the claimants attorney to petition the U.S. Surv. Genl. of N. Mex. for the confirmation of the title of said addition. It will also be observed that the U.S. Surveyor General in submitting this case to Congress makes no mention of the said addition to the San Pedro.

You will therefore notify the parties in interest to produce to you satisfactory evidence as to the location on the earths surface of the natural objects called for as a boundary on the south of the addition to San Pedro above set forth, and when such evidence shall have been received you will transmit it to this office with your report thereon.

Very respectfully
C. A. Prescott.
Commissioner.

568

Department of the Interior,
General Land Office,
Washington D.C.
Oct. 19. 1874.

Letter No. 1166.

James K. Proudfit, Esq.
U. S. Surveyor General,
Santa Fé, New Mexico.

Sir:

In the matter of the rancho Hacienda de San Juan Bautista del Ojito del Rio de las Gallinas in New Mexico, confirmed to Preston Beck Jr. as number one by the act of June 21, 1860 (12 Stats p. 71) I have to advise you that a protest has been filed against the survey thereof made by Pelham & Clements and approved Nov. 23d 1860, by A. P. Wilbar then U.S. Surveyor General for New Mexico, the said protest setting forth that the said survey is incorrect inasmuch as it does not include the land south of the south boundary thereof North of the river Pecos and west of a line drawn south from the Pajarito designated on said map as the eastern boundary of the said grant.

The evidence filed in this case is not of a character to warrant this office in disturbing the line from Pajarito to Pecos river as now shown by the official survey, but, to the end that the protestants may have an opportunity to be heard, you are hereby directed to notify all parties in interest that they will be allowed sixty days from date of notice within which to submit to you testimony or exhibits tending to show the true location of said line which testimony and exhibits together with your opinion thereon you will transmit to this office at the expiration of the sixty days above mentioned, with the said testimony and exhibits, you will also transmit to this office the original papers, (as per schedule herewith).

Very respectfully
W. W. Curtis,
Acting Commissioner.

Washington D.C.
Dec. 21 st. 1874.

James K. Proudfit
Surveyor General of New Mexico,
Santa Fé, N. Mx.

Sir

I have the honor to acknowledge receipt of your letter of Dec. 11, enclosing copy of decision of Commissioner of the G. L. Land Office relative to San Pedro Grant.

The owners will make no appeal from the decision of the Commissioner.

I respectfully request that this case be returned as soon as practicable to the Commissioner of the Land office for issuance of patent.

Very respectfully
Your obdt. servt.
A. B. Carey,
for himself and other owners.

Department of the Interior,
General Land Office,
Washington D.C.
October 31, 1874.

James K. Proudfit, Esq.
United States Surveyor General,
Santa Fé, New Mexico.

Sir;

I have had under consideration the original land claim, San Pedro, in New Mexico, a survey of which was made by W. H. Griffin, was approved by Surveyor General Clarke on the 16 th of October, 1866.

The history of this grant is as follows: On the 6th of August, 1830, Luis de Rivera and Ramon Gonzales, Ayuntamientos, did on behalf of many other persons, petitioned the Justice Don. Antonio Sandoval, for a tract of land bounded on the North by the outlet of the arroyo of Estiral, on the South by the outlet of the Arroyo of San Antonio, on the east by the little mountain on a line with the said "Puerto" and "on the west the one belonging to and styled Sandia". On the 17th of August, 1830, this petition was referred by Sandoval to Don Jose Perea justice of the peace of Bernalillo for a true report concerning

the names and character of the petitioners, whether the land petitioned for was public, the distance from "one boundary to the other" and the convenience it may offer to the parties interested without injury to any third party. On the 22d. of August, 1839, the Alcalde reports that the petition was for a grant "at San Pedro which is situated on the edge of the mountain called Tandia distant from Bernalillo four leagues to the east" that "the distance from point to point according to the run common to which they refer is from south to north one and one-half leagues more or less," in length from east to west, one league, and that the persons contained in the list submitted were well behaved. On the 23d. of August, 1839 the prefect directed as follows:

"To Don Pedro Jose Perea, justice of the peace, who is required to place the grantees in possession, on condition that lands may be given to them for cultivation without injury to any third party.

Tandora."

It will be observed that by this proper no grant for any particular quantity or in any particular boundaries is made, but by the reference in said proper to "the grantees" it would seem that some decree of concession or some grant of the land had been made. No such decree or grant appears in the papers, however, and if such a proper ever existed it must then be dated either on the same day as the order to deliver possession or on the day previous, for it will be observed that the order is dated August 23. 1839 and the Alcalde's report on the 22d. day of the same month and year.

On the document signed by Alcalde Pedro Jose Perea, and dated December 27, 1841, and immediately following this proper in the printed record in this case (page 223 Report No 321, 36 Cong. 1st Session 1st Sess of Reps.) it is stated that "the grantees interested have requested me to revalidate the document extended to them by my predecessor, the late justice of the peace Don. Antonio Montoya" in 1840 on account of a suit against Juan Armijo for the lands of San Pedro, which suit terminated on the 26th of November 1841, "and" says this document, "by this title I do execute this document by virtue of the authority conferred upon me by law, the possession of which was guaranteed to them in me, the acting justice,

without injury to any third party and by grants) as will appear by authenticated documents, by which it was declared that the grantis interested, should obtain grant and quietable possession of said lands". No such document or grant as is herein described is found in the record, though that there was such a grant also appears from the subsequent revalidation by Arrijo in November, 1845. The extent of the grant is however stated in this revalidation as follows: "the boundaries being established at the same points from San Antonio to Chimal, from north to south, and from the Punta mountain to the mountain called Tamaria from east to west" Immediately following this revalidation, page 224 of the printed record, is a "List of the persons who are to possess the place of San Pedro" which contains the names of eight persons and a diagram and figures indicated that each person was allotted for cultivation 300 varas, meaning 2400 varas, and for pasture four tracts of land, three of five thousand varas each, and one of 4000 varas, meaning a total of 24,000 varas of land for cultivation and pasture. From the position of this list in the record it would seem to be a list of the persons and a description of the areas granted to each as they stood at the date of the revalidation in 1844, although it may be that this is the list referred to in Pena's report to the prefect, Candelaval, on the 22d of August, 1839, but it is doubtful the former for the names therein written corresponded exactly with the names on the list of those who in October 1841 had contributed money toward the expenses of the action against Juan Arrijo for the lands of San Pedro, and omits the names of several other persons who it appears relinquished their rights acquired at or subsequent to the date of Pena's report to the prefect Candelaval.

On the 29th of November, 1845, Jose Joaquin Ramirez, for himself and as attorney for the other settlers, petitioned the governor for a revalidation of the "approval of the grant given by your excellency in the month of March 1840, and also for an addition of 5000 varas to said grant" "the boundaries on the north, west and east being the same as those set forth in the aforementioned petition which has been granted, on the south Las Lagunitas de los Indios" and the "Ceja de las Escondidas" the Lagunitas, the flowings of the Chimal, Alamitos, Arabia, and San Pedro being within the grant as expressed in our petition granted in 1840." "On the same day and year the Governor revalidated the grant as follows: "In accordance

with the petition which is conformable to the laws governing the case, with the consent of the Honorable Assembly, the donation and grant made by the prefect in 1839, and juridical possession in 1840 are approved and revalidated, the clauses in the petition being also granted in all their parts". Prior to this revalidation the Departmental Assembly had on the 26th. of November, 1845, directed that the petition of the settlers of San Pedro, having been taken into consideration, "be returned to his excellency the Governor for the purpose which they petition." but it does not appear that the Departmental Assembly ever approved the revalidation of the grant in this case, or that the said Assembly approved the additional grant of 5000 varas petitioned for on the 29th of November, 1845. It will be observed that the action of the Departmental Assembly as set forth in the record was taken three days before the date of the petition of Ramirez asking for a revalidation of the grant of 1840 and a new grant of 5 000 varas or one square league.

Doubtless the record as to boundaries would have been much more satisfactory if the grant and juridical possession of 1840, so frequently referred to in the record, had been submitted to the Surveyor General and made a part of said record, but enough is contained therein to establish with reasonable certainty the following as the true boundaries of the Rancho grant of 1839: On the north the mouth of the Criminal Creek, on the south the mouth of Antonio creek, on the east the little Buena mountain, and on the west the eastern foot of Tamalpais mountains. It is also established by the testimony taken when the survey was made that these natural objects are located as shown on the plat of the survey by Surveyor Clark October 16, 1866. The survey is, therefore, to that extent decided by this office to be correct. Whether or not the survey of the additional square league of land on the south is likewise correct will now be considered.

If there ever was any valid grant for this addition as exhibited in the record it is found in the revalidation of November 29, 1845, by Governor Armijo in these words: "the clauses in the petition being also granted in all its parts." Comment upon this sentence, however, I deem unnecessary for I do not find that Confirmation by the United States for this addition

was ever asked, nor do I find that such addition was ever recommended by the Surveyor General for confirmation or confirmed by Congress. In the petition of September 24, 1857, to the Surveyor General the only land for which confirmation is asked is that claimed by virtue of a grant by Antonio Condova in 1839, in conformity to the petition of Juan Vieira and Ramon Garcia in the same year "which said grant" says the petition "was ratified and confirmed by the act of Manuel Armijo". No mention whatever is made in this petition of the grant of an additional square league or of any grant whatever subsequent to the grants of 1839 as ratified by the Governor in 1845, nor is any mention made in the recommendation of the Surveyor General of any such additional grant the statements and recommendation of that office being substantially that: "On the 29th of November, 1845, Jose Serafin Ramirez" * * * petitioned the Governor and Departmental Assembly for a confirmation of the grant made to them by the prefect in 1839, which was done on the 26th and 29th of November 1845" that "Jose Serafin Ramirez surrendered the right, title" etc., * * "thereby becoming the sole possessor of the lands originally granted to the grantees petitioning

. . . . ." That "the grant was made according to the laws, usages and customs of the government of Mexico at the time". and that in "the opinion of this office this is a good and valid grant, and is therefore confirmed to Jose Serafin Ramirez, the lawful claimant, and is transmitted for the action of Congress in the premises". Congress, by the act of June 21, 1860, (12 Stats. At L. 71) confirmed this claim "as recommended for confirmation by the Surveyor General".

For the foregoing reasons I approve the aforesaid survey of San Pedro such so far as it exhibits the tract of land granted by the prefect in 1839 and reject said survey so far as it exhibits any additional tract of land.

You will notify the grantees in interest of this decision and allow sixty days from the service thereof for appeal to the Hon. Secretary of the Interior. If appeal be taken you will promptly notify this office, and with your letter of notification transmit such arguments and documents as may be filed by the said grantees, but if no appeal be taken, you will correct this survey as above indicated and forward it to this office for patent.

Respectfully

E. A. Arndt,

Commissioner

5/14

Department of the Interior, General Land Office,
Washington, D. C.
June 19th 1875

U. S. Surveyor General,
Santa Fé, New Mexico.

Sir:

I have the honor to transmit herewith a plat of the Exterior boundaries of the Pueblo Grant of Santa Ana, New Mexico, as surveyed by Deputy Surveyor Wm. H. Pratt, under your instructions of Sept. 10th 1874.

A copy of the approval of this survey by this office, dated June 19th 1875, is also herewith transmitted.

The field notes of the survey of the boundaries of the Pueblo Grant of Santa Ana, New Mexico, as surveyed by Deputy Surveyor Wm. H. Pratt, under your instructions of Sept. 10th 1874, have been examined and approved, and are now on file in this office.

In the case of the application of Pueblos to secure patents for lands granted them by Spanish or Mexican authority, the Department of the Interior has decided that the Pueblo Indians are entitled to the same protection as other citizens, and that patents will issue to them for the lands confirmed to them by the decrees of the Surveyor General and the decisions of the General Land Office.

In the case of the Pueblo of Santa Ana, New Mexico, the Surveyor General, in his decree of confirmation, dated Dec 24th 1858 (see page 1 of Private Land Claims), confirmed to the Pueblo of Santa Ana, New Mexico, "the quantity of four square leagues, as granted by the Spanish Government, and as possessed by the Indians of said Pueblo, according to the plat and survey of Agrimensor Don Antonio Sedillo, dated in the year 1800, and the field notes of the same, as returned by the Agrimensor aforesaid, and now on file in the office of the Surveyor General of New Mexico," and that decree was confirmed by the Act of Congress of July 22nd 1854, entitled "An Act to enable the Surveyor General of New Mexico to ascertain and settle the private land claims in that Territory," and the claim was duly presented to the Commissioner of the General Land Office, under the provisions of the Act of Congress of June 21st 1860, entitled "An Act to amend an Act entitled 'An Act to enable the Surveyor General of New Mexico to ascertain and settle the private land claims in that Territory,' approved July 22nd 1854, and to provide for the survey of the Pueblo lands in New Mexico," and the survey of the boundaries of the Pueblo of Santa Ana, New Mexico, as made by Deputy Surveyor Wm. H. Pratt, under your instructions of Sept. 10th 1874, has been approved by this office, as above stated.

The plat of survey transmitted herewith, and the field notes of survey, are returned herewith for the use of the Surveyor General's office, and you will cause the boundaries of the Pueblo of Santa Ana, New Mexico, as surveyed by Deputy Surveyor Wm. H. Pratt, to be marked upon the ground, and will cause a copy of the plat of survey to be made, and certified to by yourself, and forwarded to this office, for the use of the Pueblo Indians of Santa Ana, New Mexico.

Very respectfully,
Your obedient servant,
S. S. Burdett
Commissioner.

recommended the final confirmation to the Congress of the United States."

The act recognized the legality of the action by the board in the 38 Stat. at L. 1560, in subscribing to the recommendation to give an appropriation of $100,000 for the purpose stated that "the board of trustees of Tuskegee Institute be and hereby is authorized to expend the said money given to the Tuskegee Normal and Industrial Institute for the purposes of the Hampton Normal and Agricultural Institute, and the money is hereby appropriated provided that the foregoing appropriation shall only be continued on a basis of dollar for dollar contributed by the people of the United States, and not after the fiscal year 1913."

The state was again recognized by the act of March 1st 1913 (37 Stat 883) by which it was enacted that "the board of trustees of Tuskegee Institute, an educational corporation of the State of Alabama, be and hereby is authorized to receive and expend the sum of $100,000 annually for the purposes of the Hampton Normal and Agricultural Institute, in the State of Virginia, as provided by the act of March 1st 1911, and the act of March 4th 1913, and the money is hereby appropriated, provided that the foregoing appropriation shall only be continued on a basis of dollar for dollar contributed by the people of the United States, and not after the fiscal year 1914."

In no respect, this act authorized to include other grant, discharged, passed by the 3rd Cong. 2nd Sess. ch. 24 - 1876. at the time of the United States to be and- and based upon that after signed, grant to the and has been distributed States Government and carried to the use of citizens.

Referring again to the first of the acts of the Congress, appropriating $100,000 annually for the purpose of the Hampton Institute, and the Tuskegee Institute, and the money is hereby appropriated, to be paid out of the Treasury of the United States, on a

after it "the bearers for each of the four cardinal points of the valley" and the words of verse 11 are later given "all the creatures" and [illegible] the bearers, instead of the four cardinal points, and [illegible] within the bearers of the valley in all its breadth as a circle, keeping the water for its course as always in each of the four directions, in their respect, keeping to their ancient structure circuit and channel, and not [illegible] as the Lord intended it to be given it by the Spirit in general, quoted as the bride city seen to [illegible] and [illegible] Records "in their two bearers surrounded to the four cardinal points, may [illegible] decrease, and it may [illegible] be [illegible] that [illegible] the [illegible] of the four cardinal points, in that [illegible] [illegible] bearers of [illegible] [illegible] [illegible]

south east and west, shall be treated as corners and connected by straight lines, making the exact claim in form of a square, with its corners due north, south east and west respectively from the center, above described.

You will give notice of this decision to all parties in interest, and allow sixty days from date of notice for appeal to the Hon. Secretary of the Interior.

Very Respectfully.
S. S. Burdett.
Receiver.

{ Endorsement. } Dec. 30-1875 Dept. Secy. of the Interior Miscellaneous Letters Received. Burdett S. S. Receiver Denver City Col. enclosing decision in case of Hall vs. Hall & Letter.

Miller C. C.
Dept. 30/75 Secy. directs report to Genl. Land Office that no appeal received in this matter.

Copies sent the Interior, Genl. Land Office
Washington D. C. Jan 1st 1875

James A. Sandrit Esq.
U. S. Surveyor General
Santa Fe New Mexico.

Sir.

I transmit herewith record for examination and evidence, & decision of Register and Receiver, dated Jan. 24-1874, in the following entitled cases, viz: Hall vs. Hall, Private Land Claim No. 54 New Mexico, (as herein described)

record entries of the survey of the Santa Clara grant
[illegible] entries made of the Surveyor
Genl. dated Nov. 9-1871— The Clerks Report of
Examinations of Books & Papers for year 1871.
pp. pp. 83 and 93

Very Respectfully
S. S. Burdett
Recorder

Department of the Interior
Washington D. C.
Nov. 24-1874

Sir

"Executive Mansion
"Nov-24-1874"

"To all whom, it may concern, Greeting. And whereas upon
"the Petition of Jose Jesus Pico, dated Nov. 9-1871, and
"duly filed; Requiring that the Boundaries of
"the Santa Clara Mission, and the Extent of
"Cultivation and Occupation thereof, be ascertained
"and established, and extended over the same
"by metes and bounds, so as to include within
"said, (36) miles, as near as practicable, and
"to exclude all claims not recognized and confirmed
"to the Pueblo of San Jose, and the Rancho
"of Pala, and whereas it appears from the
"said Petition, that the Boundaries of the
"Mission Lands of Santa Clara, as established
"by the Mexican Authorities, and as claimed
"by the Petitioner, are as follows, to wit:

"Commencing at the Junction of the Arroyo
"Pueblo with the Guadalupe River, and
"running thence up the Arroyo Pueblo, to
"the Junction of the Arroyo Pueblo with the
"Arroyo Seco, thence up the Arroyo Seco to
"the Junction of the Arroyo Seco with the
"Arroyo Agua Caliente, thence up the Arroyo
"Agua Caliente to the Junction of the Arroyo
"Agua Caliente with the Arroyo Calabasas,
"thence up the Arroyo Calabasas to the
"Junction of the Arroyo Calabasas with the
"Arroyo Aguague, thence up the Arroyo
"Aguague to the Junction of the Arroyo
"Aguague with the Arroyo Pueblo, thence up
"the Arroyo Pueblo to the Junction of the
"Arroyo Pueblo with the Arroyo Pueblo, thence
"up

the upper springs called the spring of the Two Canes, which are behind the west, to the town of Chilala on the east, and from west to south the summit of the Maipo called Cerro of Chihuli.

On March 20, 1541, the Governor (Pizarro) authorized the Alcalde ordinario of the third judicial district to select the parties and proceedings since there boundaries or limits are set forth by them, and on the 20th of the same month the Deputy Notice reported to Governor Pizarro that he had selected and fixed the settlement for the Indians of Chihuli in accordance with the directions of his Excellency and the petitions of the parties interested, he will entitle the boundaries each one made of stone, but nevertheless it does not limit pasturage and that given does not extend by the woods

On the 15th of December, 1556, Don Diego Garcia, for himself and in the name of Pedro de Valdivia, Governor, presented to the Governor of the state of Chihuli;

That you declared by the settlers of the town of Chihuli in four squares because not only the boundaries of the grant, being on the north and with the mountains of the ridge, on the east the Chilala stream, and on the west the springs of Cauca,

On the 1st of September 1557, the Surveyor General presented his decision favorable to the claims with a recommendation being as follows; Returning the grant made on the date 1541 by Pimentel that the surveyor of the Province, he is given and paid, &c.

× × × the claim in favor contained the town of Chihuli and is submitted for the action of Congress in the premises," that action was taken by the Act of December 22, 1858, and that "the claim × × "embraces eleven of the town of Chihuli, in the county of Talagante," and the claim therein mentioned "be and the same is confirmed" and the Commissioner of the General Land Office shall cause the proper letters patent issued of all claims, claims, and reservations and for confirmation to the said Surveyor General, and shall cause to be

to issue thereon in ordinary cases to private individuals; Provided, That this confirmation shall only be construed as a relinquishment of all title and claim of the United States to said lands and shall not affect any adverse valid rights existing at date."

The extent of a Pueblo under the American laws was fixed at four square leagues. Hornsby v. Green (5 Wall. p. 336) Briar v. McDaniel, (6 Wall. p. 372) but as the Act of 1858 directs that the grant of Cubiti shall be surveyed as recommended for confirmation by the Surveyor General, and as that officer treated the order of Alvarado of 1841 to give juridical possession as a grant, and recommended this claim for confirmation in accordance therewith, it seems that the boundaries set forth in the petition referred to in that order must govern without regard to the quantity such boundaries may contain.

On such a case however, where the survey includes a larger area than four square leagues this office might be satisfied that the boundaries have been strictly followed, and as the record in this case does not even indicate the location of the "summit of the sharp-edged hills of the range of Cubiti, which is the boundary on the south, the Surveyor considered it for that reason defective, and if there were no other objection it would not be proper to patent until satisfactory proof as to such boundary had been furnished this office.

But there is another and in my opinion fatal objection to this survey. There are but three boundaries given, namely the east, west and south, and hence as there is in this case no evidence suggesting other boundaries or the form of the lands of the three the lines must should have been straight lines between those given natural objects - making the town lands of triangular form. To give them capacity any other shape for to include any lands other than those within the lines stated, boundaries must be established which are not mentioned in the record.

The figures now before me in connection with the field notes of a line returned from the "town of the Cibola" to the east to the "spring called El Ojuelo of Los Cuates", on the west, do not by

rejected by this office, and you are directed to cause a new survey of the town of Chilili to be made by running straight lines between the "bras of the Cibola" the "upper springs called the springs of Las Vegas" and the "summit of the sharp-edged hills of the canon of Chilili."

You will notify all parties in interest of this decision and allow sixty days from the date of such notification for appeal to the Hon. Secretary of the Interior. If appeal be taken you will at the expiration of said sixty days transmit to this office all documents filed with you relative to such appeal. If no appeal be taken you will so inform this office by letter.

Very Respectfully
S. S. Burdett
Commissioner.

Endorsements on foregoing

Notice with copy hereof forwarded February 24-1875. by the Surveyor General to the Head of the precinct and town of Chilili by mail.

Dan. Miller Jr. Clerk.

Answer of parties in interest dated April 16 received April 21. 1875 and forwarded to General Land Office April 26, 1875 & copy retained.

Dan. J. Miller Jr. Clerk.

Department of the Interior, General Land Office.
Washington D. C.
March 25-1875

U. S. Surveyor General,
Santa Fe, New Mexico,

Sir:

I have carefully examined the survey of the rancho Canon del Agua, containing 3561 12/100 acres, made by United States Deputy Surveyor H. H. Griffin, and approved by United States Surveyor General John H. Clark, October 16. 1866.

On the 12th of February, 1874, the claimant Jose Serafin Ramirez petitioned the Government of the United States for the grant of a tract of land known as the "Canon del Agua, near the Pinos of Jose Francisco called the Placer del Inti,

the boundaries being "on the north the road leading from the Placer to the Salt Aguanillas; on the south the northern boundary of the Grant of San Pedro; on the east the spring of the Cañon de la Agua; on the west the summit of the mountain of the same known as may more" On the 13th of January, 1844 the Governor granted "the tract asked for, and the validation of the title of the mine" the Departmental Assembly having previously decreed "that his excellency the governor of the Department in conformity with the ordonizations have a right to grant the tract prayed for"

On the 15th September 1844, Santiago Lopez from the Office of the First Court of Justice and Public Revenue at Santa Fe came and ordered the boundaries of the said tract the boundaries being "on the north the road of the Salt Aguanillas; on the south the boundary of the rancho San Pedro; on the east the spring of the Cañon del Agua; on the west the highest summit of the little mountain of El Dante."

On the 20th January, 1860, the United States Surveyor General for New Mexico after reference to the Grant of 13 February, 1844 and Registration of 15 February, 1844 called that the "grant to the land situated at the Cañon de Agua should be made according to the lines in existence at the time it was made" ranged and bounded it for the action of Congress;

By act of June 12, 1860, (14 Stat. L. 338.) Congress confirmed the "grant to Jose Serafin Ramirez of the Cañon del Agua as surveyed by the Surveyor General of New Mexico, January twenty, eighteen hundred and sixty, and designated on maps, in the handwriting of private land claims in New Mexico transmitted to Congress by the Secretary of the Interior January eleven, eighteen hundred and sixty one."

The boundaries of this grant are referred to in the survey granted considerably but does represented the highest summit of the little Dante mountain, in the east boundary instead of the crest, and the spring of the Cañon del Agua instead of the head of the ravine, that boundary described in the act of Confirmation, the spring of Cañon del Agua is also considerably distance south of the

north. boundary of San Pedro rancho, and Placer del Puerto on the north is included within the claimed limits of the Cata. mine confirmed, as No. 43. by Act of March 1, 1861, (12 Stats. p. 807) do, however, all the natural objects described in the record of surveys as have been found, and the present survey as within these boundaries, and the claim under the Cata. mine, aforesaid, have by conveyance recorded on the March 16, 1875, vested the claimants of Cañon del Oro and interest in said grant and claimed, which is found to conflict with the survey of Cañon del Oro now under consideration, I have decided to approve the said survey;

You will give notice of this decision to all parties in interest, including the owners of the Cata. mine, aforesaid, and allow sixty days from date of notice for appeal to the Hon. Secretary of the Interior. If at the expiration of said sixty days, no appeal be taken, you will so notify this office; and if appeal be taken, you will notify this office and transmit both, duly notified here, all arguments or arguments which may be filed by the parties, and a receipt of this communication.

Very Respectfully.
S. S. Burdett,
Commissioner.

Endorsements on foregoing.

William H. Griffith and Geo. Hudson of Santa Fe notified verbally, and Arthur Latham and Lydia E. Allen of White River, Lancaster Sheriff, Lancaster County, State of New York, duly notified in writing, by the Secretary, this April 8, 1875.

Initials illegible

584

# Circular in Relation to Powers of Attorney.

Pertaining to No. 45 — Treasury Department

Warrant Division No. 1 — April 16, 1875.

The attention of officers of this Department, and of persons prosecuting claims before it, is called to section 3477 of the Revised Statutes, as follows:

"All transfers and assignments made of any claim upon the United States, or of any part or share thereof, or interest therein, whether absolute, or conditional, and of whatever nature, including the considerations therefor, and all powers of attorney, orders, or other authorities for receiving payment of any such claim, or of any part or share thereof, shall be absolutely null and void, unless they are freely made and executed in the presence of at least two attesting witnesses, after the allowance of such claim, the ascertainment of the amount due, and the issuing of a warrant for the payment thereof. Such transfers, assignments, and powers of attorney must recite the warrant for payment, and must be acknowledged by the person making them before an officer having authority to take acknowledgements of deeds, and shall be certified by the officer; and it must appear by the certificate that the officer, at the time of the acknowledgement, read and fully explained the transfer, assignment, or warrant of attorney to the person acknowledging the same."

The order of the Department of March 19, 1874, relating to powers of attorney, is hereby revoked, and the following adopted in lieu thereof:

The Treasury Department will hereafter recognize and act upon the rule of law, that to constitute a power coupled with an interest, there must be an interest in the thing itself, and not merely in that which is produced by the exercise of the power. An interest in a claim to the extent of a fee contingent upon success, is not, therefore, such an interest as will prevent a revocation of a power. And all cases, drafts for the proceeds of claims will be made to the order of the claimant, and will be delivered to the claimant or to an attorney having the latest valid power authorizing him to receive it.

H. McCulloch

Secretary.

From U.S. Sec. of Treasury Circular of Oct. 22, 1873

1.— The name of payee as endorsed must correspond in spelling with that in the draft. The guarantee of an imperfect endorsement will do. If the payee signs in wrong in draft return this to U.S. Treasurer for correction.

2.— Endorsements by making mark must be certified by two witnesses.

3.— Endorsements by executors or administrators must be accompanied with copies certified under seal of the letters testamentary.

4.— Payees and endorsees must endorse by their own hands, officials officially with full title, giving the usual firm signature by a member of the firm, not clerk or other person for him.

5.— Power of attorney for the endorsement of drafts in payment of claims, must be dated subsequently to the date of drafts, must be witnessed by two persons and must be acknowledged before U.S. Treasurer, or Assistant Treasurer, a Judge or Clerk of District Court, Collector of Customs, notary public under seal of Justice of Peace or Commissioner of Deeds, and if either of the two latter the certificate must be under seal of the County Clerk must attest his official character, x x x x The official taking the acknowledgement must certify that the power of attorney was read and fully explained to the principal at the time.

6.— Evidence of authority to endorse for an incorporated or unincorporated company must accompany drafts drawn or endorsed to such company. Such evidence should be in the form of an extract from the by laws or records of the company or association showing the authority of the officer to endorse, receive money etc, for the corporation, and giving full name and the date of his election or appointment and such extract should be certified by the President or Secretary of the company with its seal; and if the company has no seal the extract should be certified as correct by a notary public or other competent officer under his seal.

586

Department of the Interior, General Land Office,
Washington D. C. April 2nd 1875

James K. Proudfit, Esq.
U. S. Surveyor General
Santa Fe, New Mexico

Sir;

For your information and guidance I enclose herewith a copy of the decision dated 29th ult. of the Hon. Secretary of the Interior, in the matter of the survey of the private land claim of E. H. Eaton et. al. in New Mexico.

Very Respectfully
S. S. Burdett
Commissioner.

Department of the Interior
Washington, D. C.
March, 27, 1875

Sir,

I have examined the appeal from your decision of November 11th 1873, in the matter of the survey of the private land claim of E. H. Eaton et. al. New Mexico, confirmed by act of Congress, approved June 21st 1860 (12 Stats. 71.)

The question raised by the appeal is one of law, relating to the construction of the confirmatory statute, and the rights of the claimants under it.

The act in question, so far as material to the present enquiry, is in the following words, viz:

"That the private land claims in the Territory of New Mexico, and recommended for confirmation by the Surveyor General of that Territory, and in his letter to the Commissioner of the General Land Office, of the twelfth of January, eighteen hundred and fifty eight, designated and numbered one, three, four, six, eight, nine, ten, twelve, fourteen, fifteen, sixteen, seventeen and eighteen, and the claim of E. H. Eaton, not entered on the corrected list of numbers, but standing on the original docket and abstract returned by the Surveyor General as number sixteen, to which thirty six are confirmed."

The report of the Surveyor General recites and sets forth the main facts in the case, and the proc-

makes the following recommendation or award, viz:

"The grant is therefore decreed a good and valid one and confirmed to E. H. Eaton, as the assignee and legal representative of Fernando Delmanzdez, and to the remaining original grantees who had not forfeited their right to the land by a noncompliance with the conditions of the grant, and is transmitted for the action of Congress in the premises."

The language of this award by the Surveyor General is unambiguous. It confirms the grant to E. H. Eaton, as the assignee and legal representative of Fernandez, and to the remaining original grantees who had not forfeited their rights.

It seems that Eaton, by assignment, is entitled to a portion of this grant. You have so held, and I think properly.

I am also of opinion that the confirmation extends to any of the original grantees who have not forfeited their rights to the grant. It does not appear that any such grantees are claiming any portion of the original grant, nor is there satisfactory evidence as to whether they have or have not forfeited their rights. I am not disposed, however, to so construe the act of confirmation as to give to Eaton the entire grant or any portion of it, unless he shows himself entitled to it by assignment.

Hereafter any of the original grantees shall make claim to a portion of this grant, and show that they have not forfeited their rights to it, the question will be presented in regard to their interest in it under the act of confirmation.

With this explanation I simply affirm your decision and return the papers transmitted with your letter of December 15, 1873.

Very Respectfully
C. Delano
Secretary.

Hon. S. S. Burdett,
Comm. of the Gen. Land Office.

Department of the Interior, General Land Office
Washington D. C. Oct. 24th 1875

James A. Broadhead Esq.
Surveyor General
Santa Fe, New Mexico,
Sir:

Referring upon to my telegram of this day, directing you to retain $15,000 out of the appropriation of $40,000 for the survey of public lands during the next fiscal year, which latter upon had been placed under your control by my instructions of the 19th inst, to be applied to the extension of the public surveys in your district, I have now to say that in letting contracts for the service contemplated, you will give the preference to the localities claimed and preoccupied by Beaubien and Miranda consisting of the following townships when surveyed. viz. On the first place you will contract for the extension of the 6th Standard Parallel North, from the line between Ranges 23 and 24 E, due west 48 miles, the 7th Standard North from the line between Ranges 24 and 25 E due West 54 miles,

Due 2nd Guide Meridian East, on the line between Ranges 19 and 20 East of the Principal Meridian, from the 5th Standard North to the intersection of the Northern boundary of New Mexico,

When you shall have entered into contract for the establishment and survey of the foregoing standard lines then you will in the next place provide for the running of the following townships & Range lines, to wit:

On. 25 North, Ranges 16 to 23 incl. On. 26 N. Rs 16 to 24 incl.
" 27 " " 16 to 24 " " 28 " " 16 to 24 "
" 29 " " 17 to 24 " " 30 " " 18 to 25 "
" 31 " " 19 to 25 " " 32 " " 17 to 25 "

The surveys of the above mentioned lines must not be recalled from by your deputies on account of ruggedness of the country but prosecuted with fidelity and perseverance so that the character of the premises may be ascertained and faithfully recorded in the field notes of their surveys, relating particularly mineral lands, improvements in the claims to under confirmatory surveys, as well as those of settlers

under general laws of Congress.

The scope of the field work herein before indicated will not only cover the surface of land to which Beggs Bros and Miranda are entitled under the decision of the Secretary of the Interior of Dec 31, 1869, viz, the 22 square leagues, but also will embrace within it, the area claimed by the granted as shown by the outboundaries of their private surveys.

The balance of the $15,000 hereby set aside for the extension of the lines of public surveys over the premises after defraying the cost of the Standard and township lines will be applied to the subdivision of such townships as will have been found to have been settled and containing improvements, and which may likely be elected by the grantees to select in satisfaction of the grant to the extent the colonization laws of Mexico and the decision of the Department allow.

You may contract for the contemplated surveys and submit contracts for the approval of this office providing the work to be commenced as soon after the first day of July next as the laws and regulations require.

Very Respectfully, Your obt.
S. S. Burdett
Commissioner.

Department of the Interior
General Land Office
Washington, D. C.
March 12, 1875

Surveyor General,
Sir:

All letters received at the Office are officially designated by serial numbers and to facilitate the searching of the files the number is placed at the top of the brief, hereafter, consequently leave about one half inch before commencing your brief.

Respectfully
W. M. Stone
Chief Clerk.

Surveyor General.

Department of the Interior
General Land Office
Washington D. C.
May - 6, 1875

James K. Proudfit, Esq.
U. S. Surveyor General
Santa Fé, New Mexico
Sir:

In reply to your letter of the 26th ult. transmitting letter, dated 16th ult from H. H. Henrie, Esq. Atty. for the inhabitants of the Chilili grant in New Mexico, I have to state that Mr. Henrie's letter will be treated as an appeal from the decision, dated 12th Feby. last, of this office in the matter of the survey of said Chilili grant and will be transmitted this day to the Hon. Secretary of the Interior, you will please notify the claimants of the action had by this office.

Very respectfully
Your obt. Servant
S. S. Burdett
Commissioner.

Endorsement on foregoing
Copy furnished H. H. Henrie, attorney
May 17, 1875, by Sur. General
Geo. Miller. C. C.

Department of the Interior
General Land Office
Washington D. C.
May 7, 1875

U. S. Surveyor General,
Santa Fé, New Mexico,
Sir:

I have received your letter of the 23rd ult. asking instructions as to the mode of executing the decision of the Hon. Sec. of the Interior, rendered on the 27th of March last, in the matter of the claims of E. H. Eaton in New Mexico,

That part of the decision of the Hon Sec. of the Int. which you quote is explanatory of the conclusion which he reached, which conclusion is set forth in his said decision as follows,"

"With this explanation I affirm your decision "Your duty is therefore to execute the decision of this office thus affirmed & which is in part as follows:

"I, am therefore of the opinion and do decide that the only title or interest which the record shows Fernandez had in this tract and under the confirmation the only just claim which Eaton can show hope as his assignee or legal representative was bounded as follows, "from the Fuente of the Lagunitas northerly as far as the spring of La Vaca, under the boundaries of the grant which said boundaries are given as "on the north the summit of the creston," on the east the "Spring of La Vaca, and on the west opposite the middle creston"."

Very respectfully
J. J. Burdett
Commissioner

Department of the Interior
General Land Office
Washington D. C.
May 20, 1875

James K. Proudfit Esq.
Surveyor General
Santa Fe, New Mexico

Sir;

Your communication of the 5th inst has been received. You advise this office of the fact that the corners and marks of the private survey of the Baquedano and Miranda claims are substantially the same as those of public surveys and unless the unofficial survey is destroyed in the field by U. S. Deputy Surveyors while extending the lines of the public surveys, upon the claims endless confusion will result; You further say that the government survey will not coincide with the private one by two or three miles and that the cost of destroying the existing survey would equal that of the new survey and that you are of the opinion that the contemplated work cannot be contracted for at the rates allowed by law for the survey of public lands.

From your description of the country directed

to be surveyed, one would infer that, with the exception of a few small valleys, it is totally unfit for settlement, and not worth surveying. Should it be induced thereby to modify my instructions, I am dated 24th ultimo, & Dover at in pursuance of quite different information in regard to the physical features of the region to be surveyed. Judging from your new letter in which you say that the claimants under Bourbino & Miranda have surveyed inside the grant some thirty townships and subdivided them," I am led to conjecture that the features of the country are not so unfavorable as you portray them, and that the area over which it is practicable to extend the public surveys is more extensive than the 15,000 assigned for the purpose can accomplish.

My instructions to you of the 24th ultimo did not require the extension of the lines over insurmountable mountains and canons hundreds of feet deep and impassable for miles, but merely required you to insist that your deputies should not shrink from traversing over mountains the shortest and most practicable lines where by proper degree of energy and faithfulness on their part the work can be executed, and to procure information as to the particular topographical features of the country made either on the part of the claimants of the grant, or on that of persons pitors, so that the priority of subdivisional surveys might be given to such Townships.

The Township 26 N. Range 24 E. has been surveyed you will of course exclude this, & survey from the Surveys contemplated after 30th June next, and if you cannot find deputies willing to undertake the work at legal rates, you being advised to that effect this office will designate a surveyor willing to enter into Contract for the proposed survey which admits of no further delay.

In regard to extending your surveys the want of coincidence in the lines of the public surveys, and those of private surveys for two or three miles, I have to observe that if on the actual survey of the lands it should be found to be so, you will instruct your deputy to take no notice of the unofficial marks and corners, but in case any of the private corners

copy written, but your whole running and meandering the lines of public surveys you will direct him to notice them by taking bearings and adopting courses to such corners without destroying them; thereupon equivalents to those of public corners and ascertained liability to confusion in the field will have to be fixed as the funds appropriated for surveying the public lands are not applicable to [illegible] for unwarranted departures of private grants within the boundaries of the Beaubien and Miranda grant.

I am very respectfully
Your Obt. Servt.
S. S. Burdett
Commissioner.

Department of the Interior
General Land Office
Washington D. C.
May 22nd 1875

James L. Crandall Esq.
U.S. Surveyor General
Santa Fe, New Mexico

Sir:

I send you herewith a blank power of attorney to be used as a guide in case any of your deputies or contractors find it necessary to use such an instrument. It is a form adopted by the Department and returned in accordance with the Circular of April 16th, a copy of which has been furnished you.

Very Respectfully
S. S. Burdett
Commissioner.

Know all men by these presents,

That I _____ of the City of _____ and County of _____ in the State of _____ have made, constituted and appointed and by these presents do make, constitute and appoint _____ of the City of _____ and County of _____ and State of _____ my true and lawful attorney

for me and in my name, place and stead to receive in his my said attorneys name and to endorse the same a draft from the Treasurer of the United States for the sum of ———— hundred dollars the same being due me for surveys executed under contract No— dated ———— entered into with the Surveyor General of ————
and I further state that this said power is irrevocable.

Giving and Granting unto my said attorney, full power and authority to do and perform all and every act and thing what soever requisite and necessary to be done in and about the premises as fully to all intents and purposes as I myself might or could do if personally present and acted in person hereby ratifying and confirming all that my said attorney may or shall lawfully do or cause to be done by virtue of these presents.

In witness whereof I have hereunto set my hand and seal this— day of— A.D. One thousand eight hundred and seventy—.

Signed, sealed and delivered in presence of ———— Seal

———— Witness
———— Witness

State of ————
County of ———— } S.S.

On this ———— day of—— A.D. One thousand eight hundred and seventy—— personally appeared before me ———— a Notary Public (or clerk of Court) in and for said County of ————, ———— whose name is subscribed to the annexed instrument as a party thereto personally known to me to be the same person described in and who executed the annexed instrument as a party thereto, and who duly acknowledged that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

And I further certify, that I read and fully explained this warrant

of attorney to the person acknowledging the same.

Officer Official Seal.

Notary Public
(or clerk of Court).

Department of the Interior
General Land Office
Washington D.C. May 28th 1875

U.S. Surveyor General
Santa Fe, New Mexico

Sir:

I transmit herewith for delivery to the party or parties entitled thereto the patent dated May 20th 1875 for the rancho San Pedro in New Mexico, Jose Serafin Ramirez confirmed as recorded on pages 78 to 92 inclusive, volume 16 record of patents in this office.

When said patent is delivered please advise this office by telegraph of such delivery.

Very Respectfully
S. S. Burdett
Commissioner.

Department of the Interior
General Land Office
Washington D.C. July 7th 1875

United States Surveyor General
Santa Fe, New Mexico,

Sir:

I inclose herewith, a letter dated July 2d, 1875 from Henry Brand, Esq. in which he appeals in behalf of the claimants from the decision dated June 19th 1875 of this office in the matter of the survey of the Ortiz Mine Grant in New Mexico. You will place said letter with the other papers in the case now on file in your office and, at the expiration of thirty days allowed for appeal, return it to this office with such other papers as may be filed with you within

the time named relative to said application.

Very Respectfully
S. S. Burdett
Commissioner.

Department of the Interior
General Land Office
Washington D. C.
July 7th 1875

United States Surveyor General
Santa Fe, New Mexico,
Sir:

You are hereby informed that a patent for the rancho Cañon del Agua in New Mexico, José Serafin Ramirez confirmee, was signed July 1st 1875 and has this day been delivered to Col. J. B. Carey, the hearing filed in this office his proper authority to receive the same. Said patent is recorded on pages 93 to 100 inclusive of volume 16 Record of Patents in this office,

After having made the proper corrections on the record of your office you will please acknowledge the receipt of this letter,

Very respectfully
S. S. Burdett
Commissioner,

Department of the Interior
General Land Office
Washington D. C.
July 26th 1875

J. K. Pigott Esq.
U. S. Surveyor General
Santa Fe, New Mexico
Sir:

Referring to my circular letter of the 27th March last, calling for estimates of expenditures for the surveying service during the fiscal year ending June 30, 1876. You are now requested that immediately upon receipt hereof, you explain, in a circular addressed to the deputies for whom you intend for surveying the ensuing field work in your district, how you propose to

will state the localities of the lands intended to be surveyed their availability either for agricultural, timber, mineral or other purposes and whether the surveys would embrace settlements already made or likely to be demanded for early occupation. In view of the fact that in former years surveys have been extended over distant localities sometimes undesirable for settlement on account of their arid, sterile or alkaline character, and as such unfit for cultivation, and as even the surveys of arable lands, made in distant regions, without any demands from settlers, have proved unavailable and the evidences of surveys in the field become obliterated by the lapse of time and other causes this office deems it judicious to forget in future, the continuance of a practice which had obtained in some surveying districts, and to this end I have to direct you to restrict your contemplated surveys to localities calculated to accommodate actual settlements, and to furnish this office with the explanations of the estimate so that it may be enabled to lay the same before the Committee on Appropriations in support of the sums estimated.

Very Respectfully
S. S. Burdett
Commissioner

Department of the Interior
General Land Office
Washington D. C.
Sept. 10, 1875

U. S. Surveyor General
Santa Fe, New Mexico Ter.

Sir:

For your information and guidance I enclose herewith a copy of the decision, dated Sept. 7th, 1875 of the Hon. Acting Secretary of the Interior affirming the decision of this office in the matter of the survey of the claims of the Town of Cubilli New Mexico.

You will notify the parties in interest of the purport of said decision and acknowledge its receipt.

598

Gen. Land Office
H. H. Curtis
Acting Commissioner
Endorsement not foregoing

Receipt acknowledged to Commr. and
H. H. Haynie, atty. for individuals of grant furnished
copy of Secy of Interior decision Sept. 20, 1875.
Chas. Fuller C. C.

Department of the Interior
Washington D. C. Sept. 7th 1875

Sir:

I have considered the matter of the survey of the Town of Edilili Grant, Iger-Bleuc, containing 38,435.14 acres as ordered by the Surveyor General of that Territory, Nov 8, 1861.

This grant was referred and recommended to Congress for confirmation by the Surveyor General, Sept 1st 1865, and confirmed by Congress by Act of Dec. 22d 1858. (11 Stats. p. 374)

I agree with you that Congress having confirmed the grant, as reported by the Surveyor General, the town is not necessarily restricted in its claim to the four league limit of the pueblo grant under the Mexican Government, but that, if a greater quantity than four leagues is included in the boundaries as surveyed great care should be observed that the boundaries described in the grant are strictly followed; & do not deem it competent to admit parol evidence of juridical possession, when the fact of the giving of such possession is not evidenced by the record. The boundaries of the grant would appear

The survey under consideration is defective in that it fails to show the identity of the southern boundary, as therein established, with that boundary as described in the grant.

...

It will also be that the boundary extending from the Springs of Los Cayes on the west to the Sierra of the Cibolo on the east, should be a straight line, but if upon survey it be found that a straight line would exclude a portion of and exclude the town of Edilili from the grant. You are directed that the line be so amended

as to include the land if it can correctly be done. It will be
the earliest agent I could exclude the town.

Awaiting your directions of the survey and
return herewith the papers in the case transmitted
with your letter of May 6th last.

Very Respectfully
B. R. Cowen
Acting Secretary.

The Comm.r of
Gen.l Land Office.

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Department of the Interior
General Land Office
Washington D. C.
September 17th 1875

James K. Proudfit Esqr.
Surveyor-General
Santa Fe, New Mexico

Sir:

I have to call your attention
to the act of Congress approved March 3rd 1875 by
which there was appropriated the sum of $10.000 for
surveying confirmed private land claims in New
Mexico, which amount was placed at your disposal
by letter from this office dated April 19, 1875.

You are instructed to proceed at once to enter
into contract with competent surveyors for the survey
of confirmed private land claims in your district
which have not been surveyed or which have
been surveyed, and such surveys have been finally
rejected in whole or in part, and returned to your
office for correction or resurvey and have not been
so corrected or resurveyed.

You will give the precedence to those confirmed
claims for resurvey or correction of which contracts
and not yet made, embracing contracts to this
office for ratification

I am Very Respectfully &c
W. M. Curtis.
Acting Commissioner.

600

Department of the Interior
General Land Office
Washington D. C.
September 18th 1875

James K. Crandall Esq.
Surveyor General
Santa Fe, New Mexico

Sir:

For your information & inclose herewith copy of instructions this day issued to the Surveyor General of Colorado for the survey of Charles Beaubien confirmed No. 4. known as the Sangre de Christo grant, confirmed by Congress June 21, 1860, (12 statutes page 71)

Very respectfully
S. S. Burdett
Commissioner

Department of the Interior
General Land Office
Washington D. C.
September 18th 1875

W. B. Seawright
Surveyor General
Denver, Colorado Terry.

Sir:

I have to call your attention to the Act of Congress approved March 3, 1875 (Stat. vol. 18, page 384) by which there was appropriated the sum of $10,000 for surveying confirmed private land claims in Colorado Territory, which amount was placed at your disposal by letter from this office dated April 17th last.

Upon application by the above agents, so much thereof as will be found necessary for the survey of Charles Beaubien confirmed claim No. 4, otherwise known as Sangre de Christo grant, which was confirmed by Congress June 21st 1860 (U. S. Statutes Vol. 12, page 71) the original papers of the grant were transferred by the Surveyor General of New Mexico to the Surveyor General of Colorado Territory on the 18th of January 1862, the receipt of which was acknowledged Feby. 18th of the same year

As the claim chiefly is situated in your surveying district, and for inconsiderable portion falls within the territory of New Mexico it is deemed expedient to have the survey executed under your supervision, you are, therefore, hereby instructed to have the work performed by a competent deputy in strict accordance with the confirmation by Congress as aforesaid submitting your deputy's contract chargable against the appropriation of March 3. 1875. for approval by this office.

The Surveyor General of New Mexico has this day been advised of the disposition made in the survey of the Sangre de Christo grant; the initial point of which lies within his surveying district.

I am, very respectfully
Your Obt. Svt.
S. S. Burdett
Commissioner

Department of the Interior
General Land Office
Washington D. C.
October 29th 1875

James K. Proudfit Esq
U. S. Surveyor-General
Santa Fe, New Mexico.
Sir:

I hereby transmit for your information copy of an Executive order dated 20th inst. setting apart a tract of country in the Territory of New Mexico, as the Fort Stanton Indian Reservation, for the Mescalero Apache and other Indians in lieu of the reservation set apart by Executive order of Feby 2- 1874 a copy of which was furnished your office Oct. 17. 1874. You will please cause the boundaries of the present reserve to be respected in the extension of the public surveys.

Very Respectfully
S. S. Burdett.
Commissioner.

602

Department of the Interior
General Land Office
Washington D. C.
Nov. 19, 1875

James R. Grandfit Esq.
U. S. Surveyor General
Santa Fe, New Mexico.

Sir:

In reply to your letter of Nov. 8th inst. I herewith enclose correct description of the enlarged Fort Stanton Indian Reservation in New Mexico,

Very respectfully
S. S. Burdett
Commissioner.

Department of the Interior
Office of Indian Affairs
Washington D. C. Oct. 25, 1875

Sir:

I have the honor to transmit the following Executive order, setting apart a tract of country, in the Territory of New Mexico as the Fort Stanton Indian Reservation, for the Mescalero Apache and other Indians in lieu of the reservation, set apart by executive Order of February 2, 1874.

Executive Mansion
October 20, 1875

"In lieu of Executive Order dated February
"2nd 1874, setting apart certain lands in New Mexico,
"as a reservation for the Mescalero Apaches, which
"order is hereby cancelled, it is hereby ordered that
"there be withdrawn from sale or other disposition
"and set apart for the use of said Mescalero Apaches
"and such other Indians as the Department may
"see fit to locate thereon (except so much thereof
"as is embraced in the Fort Stanton reduced
"military reservation,) bounded as follows, viz:
"Beginning at the most northerly point of the Fort
"Stanton reduced military reservation, running
"thence due west to a point due north of the north
"east corner of township fifteen South, Range East

"thence due south along the eastern boundary of said
"township to the 33° north latitude, thence due east on
"said parallel, to a point due south of the most
"easterly point of the said Fort Stanton reduced
"military reservation, thence due north to the southern
"boundary of township eleven, thence due west to the south
" west corner of township eleven, in range thirteen, thence
"due north to the second correction line south, thence
"due east along said line to a point opposite the
"line, running north from the 33° north latitude, thence
"due north to the most easterly point of said Fort
"Stanton reduced military reservation, thence along
"the north eastern boundary of said military res-
"ervation to the place of beginning.

U. S. Grant

Very Respectfully
Your Obedient Servant
Edw. P. Smith
Commissioner.

The Hon. Commissioner of the
General Land Office

Department of the Interior
General Land Office,
Washington D. C.
Dec. 9th 1875

United States Surveyor General
Santa Fe, New Mexico,
Sir:

In reply to your letter of the
29th ult, you are informed that in the opinion of
this office it was the intention of the Hon. Act. Secretary
of the Interior in his decision dated Sept. 7, 1875, in the
matter of the Town of Chilili in New Mexico to direct
that the northern boundary be surveyed as a straight
line from the spring of Los Cuates to the town of the
Chilili, if such a line would run north of the present
site of the buildings of the Town of Chilili, but if the
said straight line between the points named,
would not run far enough north to include said
buildings, then that said northern boundary
should be a straight line from the Chilili to the
northernmost site of the buildings of the Town of

Cañon, and thence in a straight line to the Spring of Los Cañons.

In making this survey care should be taken to include only those buildings which constituted the town at the date of the decision of the Acting Secretary.

Very respectfully
S. S. Burdett
Commissioner

Department of the Interior
General Land-Office
Washington D. C.
January 5th 1876

James A. Wyndfit Esq.
U. S. Surveyor General,
Santa Fé, New Mexico,
Sir:

I herewith transmit for your information a copy of an Executive order dated 29th ult. changing and defining the boundaries of the Hot Springs Indian Reserve, in New Mexico, together with a tracing representing the same.

You will please cause the boundaries of the Reserve to be respected in the future extension of the public surveys in that locality.

Very respectfully
Your obt. Servt.
S. S. Burdett
Commissioner.

(K/12)

Department of the Interior
Office of Indian Affairs,
Washington D. C. December 28, 1875

Sir:

I have the honor to transmit for your information the following Executive order, changing and defining the boundaries of the Hot Springs Indian Reservation in New Mexico

"Executive Mansion
Dec. 21, 1875

"It is hereby ordered that the tract of country
"within the Territory of New Mexico, lying within
"the following described boundaries, viz

"Beginning at a point on the east side
"of the Cañada about one thousand yards directly
"east of the ruins of an ancient Pueblo, in the valley
"of Cañada Alamosa River, about seven miles above
"the town of Cañada Alamosa, and running thence
"due north twenty miles to a point, thence due west twenty
"miles to a point, thence due south thirty-five miles to
"a point, thence due east twenty miles to a point due
"south of the place of beginning, thence due north to the
"place of beginning, be and the same is hereby with-
"drawn from sale, and set apart for the use and occupancy
"of the Southern Apache, and such other friendly Indians
"as it may be determined to place thereon to be
"known as the "Ojo Caliente Indian Reservation"
"and all that portion of country set apart by Executive
"order of July 9, 1874, not embraced within the
"limits of the above described tract of country is
"hereby restored to the public domain.

U. S. Grant.

Please acknowledge receipt.
Very respectfully
your obt. Servant
J. D. Smith
Commissioner.

Rigs Commissioner's
of the General Land Office.

Department of the Interior
General Land Office
Washington D. C. January 18th 1876

James K. Vandyt, Esq:
Surveyor General
Santa Fe, New Mexico,

Sir:

You are requested to forthwith transmit plats to duplicate that portion of the Executive reservation character in yellow shading, marking the same with plain letters "Mineral Land."

666

Be pleased to acknowledge the receipt of same.

Very Respectfully
Your Ob't Serv't,
S. F. Burdett.
Commissioner.

Department of the Interior
General Land Office,
Washington D. C.
January 31st 1876

J. K. Proudfit Esq.
Surveyor-General,
Santa Fe, N. M.
Sir.

I have to acknowledge the receipt of your letter of the 20th inst. inquiring whether it would be legal to employ Deputy Surveyors at a per diem compensation, with the allowance of fares in the examination of old grant surveys, and to charge office work for such surveys to the appropriation of $10,000 for surveying confirmed private land claims.

In reply to your inquiries, I have to inform the negative. The appropriation act allows the rate of fifteen dollars per linear mile for original surveys, and no other expenses are to be charged against the same.

Very Respectfully
L. R. Stephenson
Acting Commissioner

Department of the Interior
General Land Office
Washington D. C.
March, 8th 1876

Henry M. Atkinson Esq
U. S. Surveyor General
Santa Fe, New Mexico
Sir:

Referring to Contract No. 67, with Louis Kingman, entered into by your predecessor, the approval of which was

suspended by letter from this office of 14th. ult.

Under to circumstances that in your consideration of the matter by this office it is deemed proper to return said contract unapproved, owing to the fact of its having been entered into by the late Surveyor General, after he had been called upon by the Department to resign his office, and for the reason of there being a greater number of claims named in the contract than one Deputy could well survey in one season (the time allowed) The Diagram is therefore herewith returned. I would here remark that when contracts are entered into by you for the survey of confirmed private land claims which should be done at your earliest days you will please cause this office to be furnished with copies of the special instructions issued under such contracts.

Very Respectfully
Your obdt. Servt.
L. E. Whitcott
Acting Commissioner.